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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

GENERAL ASSEMBLY

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OF THE

STATE OF NORTH CAROLINA,

AT ITS

SESSION OF 1870-'71.

RALEIGH:
JAMES H. MOORE, STATE PRINTER AND BINDER.
1871.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

SESSION 1870-'71.

MONDAY, Nov. 21, 1870.

This the 21st day of November, 1870, being the day and time appointed for the meeting of the General Assembly of the State of North Carolina,

At 12, M., the House of Representatives was called to order by John H. Boner, Principal Clerk.

The following named members appeared, presented their credentials, and were qualified, to-wit:

Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bunn, Bryson, Bryan, Chamberlain, Currie, Clinard, Collis, Crawford, Copeland, Dickey, Dudley, Duckworth, Dunham, Ellison, Fisher, Falkner, Fletcher, French, Gambrel, Gullick, Gregory, Grayson, Garrison, Henderson, Houston, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Hill, Hinnant, Hampton, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Jarvis, Kelly of Davie, Kelly of Moore, Kincaid, Lucas, Lasssiter, Luckey, Mills, Martin, McAfee, Morris, Mabson, McNeil, Morgan of Montgomery, Morgan of Wake, Maxwell, Mitchell, Marler, Nisson, Nicholson, Powell, Page, Parrot, Robbins, Rollins, Reavis, Rankin, Robinson, Reid, Smith of Anson, Sparrow, Stanford, Stewart, Strudwick, Sykes, Settle, Shull, Tucker, Tomlinson,

White, Wilcox, Womack, Willis, Welch, Waring, Young of Wake, Young of Yancey and York.

A quorum being present, the House proceeded to the election of a Speaker.

Mr. Strudwick, of Orange, nominated Mr. Thos. J. Jarvis, of Tyrrell, for the Speakership, and Mr. French, of New Hanover, Mr. Hargrove, of Granville.

The ballot resulted as follows:

For Mr. Jarvis—Messrs. Anderson, Armstrong, Aslie, Atwater, Atkinson, Broadfoot, Brown, Bryson, Chamberlain, Currie, Clinard, Crawford, Dickey, Dunham, Gambrel, Gullick, Gregory, Grayson, Henderson, Houston, Harris of Guilford, Hill, Hinnant, Hampton, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincaid, Lucas, Lackey, Mills, Martin, McAfee, McNeil, Maxwell, Mitchell, Marler, Nicholson, Powell, Rankin, Reid, Smith of Anson, Sparrow, Stanford, Stewart, Strudwick, Settle, Shull, Tomlinson, Wilcox, Womack, Welch, Waring, Young of Yancey and York—59.

For Mr. Hargrove—Messrs. Blum, Bryan, Collis, Copeland, Dudley, Ellison, Fisher, Falkner, Fletcher, French, Garrison, Harris of Franklin, Johnson of Edgecombe, Justice, Rollins, Morris, Mabson, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Robbins, Reavis, Sykes, Tucker, Willis and Young of Wake—28.

For Mr. French—Mr. Hargrove—1.

Mr. Jarvis having received a majority of all the votes cast, was declared duly elected Speaker of the House, and the clerk appointed Messrs. Strudwick and Hargrove to conduct him to the chair.

The House then proceeded to the election of a Principal Clerk.

Mr. Nicholson, of Iredell, nominated Mr. W. W. Gaither, of Caldwell, and Mr. Justice, of Rutherford, Mr. John H. Boner, of Forsythe.

The vote taken resulted as follows:

For Mr. Boxer—Messrs. Bunn, Bryan, Collis, Copeland, Dudley, Ellison, Fisher, Falkner, Fletcher, French, Garrison, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Justice, Rollins, Mabson, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrot, Robbins, Reavis, Sykes, Tucker, Willis and Young of Wake—29.

For Mr. Gaither—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryson, Chamberlain, Currie, Clinard, Crawford, Dickey, Duckworth, Dunham, Gambrel, Gullick, Gregory, Grayson, Henderson, Houston, Harris of Guilford, Hill, Hinnant, Hampton, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincaid, Lucas, Luckey, Mills, Martin, McAfee, McNeil, Maxwell, Mitchell, Marler, Nicholson, Powell, Rankin, Robinson, Reid, Smith of Anson, Sparrow, Stanford, Strudwick, Settle, Shull, Tomlinson, Wilcox, Womack, Welch, Waring, Young of Yancey and York—61.

Mr. Gaither, having received a majority of all the votes cast, was declared duly elected Principal Clerk of the House.

The House then proceeded to the election of an Assistant Clerk, when Mr. French nominated Mr. David Stradley, and Mr. Crawford Mr. Kerr Craige of Rowan.

The vote taken resulted as follows, Craige 60, Stradley 33.

For Mr. Craige—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Brown, Bryson, Chamberlain, Clinard, Crawford, Currie, Dickey, Dunham, Gambrel, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincade, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Robinson, Settle, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Young of Yancy, York—60.

For Mr. Stradley—Messrs. Brooks, Bryant of Halifax,

Bunn, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Justice, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Rollins, Reavis, Robbins, Sykes, Tucker, White, Willis, Young of Wake—33.

Mr. Craig having received a majority of all the votes cast, was declared duly elected Assistant Clerk of the House.

The House then proceeded to the election of a Principal Doorkeeper.

Mr. Hargrove nominated Mr. James Page, and Mr. Sparrow nominated Mr. L. D. Quinn.

The vote taken resulted as follows, Quinn 58, Page 35:

For Mr. Quinn—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Chamberlain, Clinard, Crawford, Currie, Dunham, Gambrel, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincade, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Robinson, Settle, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring Welch, Wilcox, Womack, Young of Yancey, York—58.

For Mr. Page—Messrs. Brooks, Brown, Bryant of Halifax, Bunn, Collis, Copeland, Dickey, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Justice, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Rollins, Reavis, Robbins, Sykes, Tucker, White, Willis, Young of Wake—35.

On motion of Mr. Sparrow, the House adjourned.

TUESDAY, Nov. 22, 1870.

The House met at 10; A. M., Mr. Speaker Jarvis in the Chair.

The Journal of yesterday was read and approved.

The following members appeared, were qualified and took their seats.

Messrs. Bryant of Halifax, Buxton, Carson, Furr, Gore, Johns, Jones of Northampton, Lyon, Smith of Halifax, Smith of Wayne, Woodhouse and Williamson.

The House then proceeded to the election of Engrossing Clerk.

Mr. French nominated Mr. J. J. Sawyer, of Wake, and Mr. Johnston, of Buncombe, Mr. W. M. Hardy, of Buncombe.

The vote taken resulted as follows: Hardy 71, Sawyer 30, Tucker 1.

For Mr. Hardy—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryson, Chamberlain, Clinard, Collis, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordon, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Lyon, Martin, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Woodhouse, Young of Yancey, York—71.

For Mr. Sawyer—Messrs. Bunn, Buxton, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Mabson, Morris, Morgan of Wake, Nisson, Page, Parrott, Reavis, Smith of Halifax, Tucker, White, Williamson, Young of Wake—30.

For Mr. Tucker—Mr. Carson.

Mr. Hardy having received a majority of the votes cast, was declared duly elected Engrossing Clerk of the House,

And the House then proceeded to the election of Assistant Doorkeeper.

Mr. Tomlinson nominated Mr. J. H. Hill, of Randolph, and Mr. Ellison, Mr I. B. Abbott, of Craven, and the following was the resulting vote: Hill 67, Abbott 32, Stradley 1.

For Mr. Hill—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Brown, Bryan of Jones, Bryson, Chamberlain, Clinard, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Woodhouse, Young of Yancey, York—67.

For Mr. Abbott—Messrs. Bunn, Buxton, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morgan of Wake, Nisson, Page, Parrott, Reavis, Robbins, Rollins, Smith of Halifax, Tucker, White, Willis, Williamson, Young of Wake —32.

For Mr. Stradley—Mr. Morris.

Mr. Hill having received a majority of the votes cast, was declared duly elected Assistant Doorkeeper of the House, and a message was sent informing the Senate that the House was organized and in readiness for business.

A communication was received from citizens of Raleigh requesting the members of this House, as a body, to participate in the memorial ceremonies of Gen. R. E. Lee, to-morrow, (Wednesday.)

Mr. French moved that when this House adjourn it adjourn to meet Friday next, at 10, A. M., and motion prevailed.

Mr. Strudwick by consent presented a memorial from A. G. Moore, of Alamance.

Mr. French moved to suspend the reading of the memorial, when Mr. Justice called the ayes and noes. The call was sustained, and the motion prevailed—ayes 53, noes 49.

Ayes—Messrs. Anderson, Brown, Bryant of Halifax, Bryson, Bunn, Buxton, Carson, Collis, Copeland, Crawford, Dickey, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Grayson, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Johnston of Buncombe, Johnson, of Edgecombe, Jones of Northampton, Jones of Caldwell, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Nisson, Page, Parrott, Powell, Reavis, Robinson, Rollins, Shull, Smith of Halifax, Tucker, Welch, White, Willis, Womack, Woodhouse, Williamson and Young of Wake—53.

Noes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryan of Jones, Chamberlain, Clinard, Currie, Dunham, Furr, Gambrel, Gore, Gullick, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johns, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAtee, McNeill, Nicholson, Rankin, Reid, Settle, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Waring, Wilcox, Young of Yancey and York—49.

A message was received from the Senate informing the House of its organization, by the election of W. L. Saunders, Principal Clerk, H. A. London, Jr., Assistant Clerk, J. J. Roberson Principal Doorkeeper, and Guilford Christmas, Assistant Doorkeeper, and of its readiness for transaction of business.

Mr. Sparrow introduced a resolution to appoint a Joint Committee of five, three on the part of the House and two of the Senate, to wait upon His Excellency the Governor, and inform

him of the organization of the two Houses of the General Assembly, and their readiness to receive communications from him.

Messrs. Sparrow, French and Robinson, upon adoption of the resolution, were appointed as House branch of said Committee.

Mr. Marler introduced a resolution "that the members of this House shall not receieve *per diem* for Wednesday and Thursday—days of proposed adjournment." Placed on calendar.

Mr. Sparrow, a resolution appointing a Committee of five to report permanent rules for the government of the House, and declaring the rules of the last House in force until the adoption of new rules.

Under suspension of the rules the resolution was adopted, and Messrs. Sparrow, Welch, Strudwick, Crawford and French were appointed as said committee.

Mr. Strudwick introduced a bill to repeal an act entitled "an act to secure the better protection of life and property," passed in 1868–'69.

Mr. Strudwick moved to suspend the rules and put the bill upon its passage.

Mr. French called the ayes and noes on the motion. The called was sustained, and the following ballot resulted:

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Carson, Chamberlain, Clinard, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Nisson, Powell, Rankin, Reid, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Young of Yancey and York—65.

Nors—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Collis, Copeland, Crawford, Dudley, Duckworth, Ellison, Faulkner, Fletcher, French, Harris of Franklin, Hargrove, Hardy, Hinnant, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Wake, Page, Parrott, Reavis, Robbins, Rollins, Smith of Halifax, Tucker, White, Willis, Williamson and Young of Wake—35.

Mr. Justice raised the point of order that it required, under the rules now in force, a two thirds vote to suspend the rules. The point was sustained and the bill went over.

Mr. Sparrow reported from Joint Committee to wait upon the Governor, that he would communicate with the House at 12½ o'clock, P. M., and on motion of Mr. French the House took a recess till that hour.

The House being called to order, Mr. Welch introduced a resolution to the effect that this House assemble in the Hall to-morrow at 10 o'clock A. M., and participate as an organized body in the Lee Memorial ceremonies, and the resolution was adopted.

The message of the Governor was then received and read.

"Executive Department,
Raleigh, Nov. 22, 1870.

To the Honorable,
the General Assembly of North Carolina:

Gentlemen:—The people have committed to you the Legislative authority of the State. It is your duty to enact laws, and it is the duty of the Judiciary to expound, and of the Executive to enforce these laws. Our form of government is thus a simple one. It derives all its force and efficiency from the people. They established it, and they alone, through the forms prescribed in the Constitution, have the right to modify or change it. Very important trusts have been reposed in you,

as in all former General Assemblies. The people, who have thus given you their confidence and clothed you with power, will look to you, as they look to the two other departments of the government, with the expectation that this confidence will be justified, and this power wielded for the general good.

We have cause to be thankful to Almighty God, the Giver of every good and perfect gift, for the abundant harvests of the year now closing, and for the general peace and quiet now prevailing throughout the State. Scarcity of the means to support life is no longer felt. All our people who labor can have their "daily bread," and many are retrieving and rebuilding the fortunes which were lost or impaired during the late war. We are entering as a people on a new career. Time, labor, patience, and harmony and good will among ourselves, will make North Carolina more prosperous, more wealthy and more respected than she has heretofore been at any period in her history.

The finances of the State are at all times important and interesting. The people who pay the taxes for the support of government and to improve the State, are especially concerned as to the manner in which the finances are conducted. If errors are committed, it is their right and duty to apply the remedy. They can do this only through you, their representatives in General Assembly convened. Executive and ministerial officers have no power to levy taxes or contract debts. They can do only what you command. If, therefore, onerous taxes have been levied, or a large debt contracted they are not responsible. Their duty is to observe *the law*, and to carry out as Executive agents whatever may have been regarded by you as most expedient for the general welfare.

The present debt of the State is stated as follows:

Old or ante war bonds, $8,378,200. Bonds issued to Railroad Companies during the war, under acts passed prior to May 20th, 1861, $913,000. Bonds issued to Chatham Railroad Company under Ordinance of Convention, 1861, $215,000. Bonds

issued since the close of the war, not special tax, $8,986,845. Special tax bonds, $11,407,000. Total, $29,900,045.

As will be seen, there are included in the above amount, coupon bonds amounting to $1,128,000 issued on account of certain Railroad Companies in 1861, '62 and '63, the greater portion of which was expended for work done on the roads. These bonds are not marketable, having been issued during the war, but it is contended that they were not issued in aid of the rebellion and ought to be recognized. It is belived that the larger portion of these are in possession of citizens of the State.

Under act of the General Assembly "to restore the credit of the State and to facilitate the construction of our unfinished Railroads," bonds to the amount of $4,343,000 were returned to the Treasury, including $1,650,000 of the issue of $2,000,000 to the Chatham Railroad Company, pronounced unconstitutional by a decision of the Supreme Court. This issue to the Chatham Railroad Company, was omitted by the State Treasurer in the statement of the debt accompanying his report for 1869, by reason of the decision of the Supreme Court referred to. The debt is, therefore, actually reduced $2,693,000.

The entire debt is, therefore, about thirty millions of dollars, to pay the interest on which, at six per cent., together with the amount necessary to conduct the State government, will require a tax of $2,500,000. Will the people of the State submit to an annual payment of this amount of tax? To be candid with you, gentlemen, I do not believe they will. I have not changed my opinion on this subject. I still believe it would be wise, and would be sound economy in the end, to pay the interest on the debt, and every dollar of it when due; yet I need not tell you, who are fresh from the people, that this is not to be expected or hoped for. The people reason thus on this subject: They say they lost their slaves and a large amount of property by the rebellion; that this rebellion was not anticipated when a part of this debt was contracted, and that no provision could be made against it; that they lost their bank stock, nearly all the value of their bank notes, all their State treasury notes

and Confederate bonds and notes, and nearly all their old debts; that the bonds issued previously to the rebellion were based to a large extent on slave property; that the war left them impoverished, their lands neglected and reduced in value, the whole system of labor changed; that many of the special tax bonds have been hypothecated for small sums and lost; that their internal improvements, projected since the rebellion, are languishing, and have for the most part failed, on account of the loss of State credit, no matter from what cause; and that upon the whole, *they will pay a part of the old State debt, and they will pay on the new or special tax debt such amounts as were realized from the sale of bonds from first hands.* Is there a member of your body who will say that this is not the feeling of the people? Gentlemen, this is not my judgment. I would pay it all in good faith if every other man in the State should say nay; yet I am, with yourselves, a servant of the people, and it is my duty to obey their commands. The demoralization and loss occasioded by the rebellion is such that many of our people can not or will not pay their own individual debts; can you expect those who can not or who will not do this, to submit to be taxed heavily to pay the State debt?

There must be a compromise. The State debt must be consolidated, and interest paid accordingly, and the sooner it is done the better.

Assume, for example, that the debt is $30,000,000. Three per cent. on this would be $900,000 per annum. But reduce the debt, by issuing new bonds, to $15,0000,000—the interest would be, at six per cent., the same amount as the above. The debt, however, would be still further reduced if certain of the special tax bonds should be recognized and met only at the amounts which they commanded from first hands. The people would pay one million five hundred thousand dollars per annum to meet the interest and carry on the State government, but I doubt if two million five hundred thousand dollars, as above stated, could be collected. I have deemed it my duty to speak freely on this subject. If I were disposed to court

popularity at the expense of duty, or if I feared the consequences of stating plainly what I know to be the feeling of our people, I would have avoided the expression of these views to your honorable body; but this question must be met, and the longer its settlement is postponed the greater will be the difficulties that will surround it. The interest on the bonds is constantly accumulating. This interest is not paid, and the debt is, therefore, growing larger and larger. Promptitude in the payment of interest is indispensable to credit. It is better to pay three per cent. promptly on the whole debt than to pay six per cent. once in two or three years, and then *promise* to pay, and fail to meet the promise.

I invite your early and earnest attention to this subject, and I trust you will not adjourn without such legislation as will meet the wishes of the people, and satisfy, as far as may be, the just expectation of our creditors.

Allow me in this connection to invite your attention to the Report of the Public Treasurer. That officer has been indefatigable and zealous in the discharge of his important duties; and I am satisfied that, if his suggestions had been heeded and adopted by the last General Assembly, the State finances and the State credit would have been on a much better footing than they at present occupy.

Our revenue laws are defective. Your attention is invited to the importance of so amending these laws as to ensure prompt payments by the Sheriffs, and also to provide some effectual check on the Sheriffs as to the taxes collected of merchants and dealers.

The Presidents of the various corporations in which the State is interested will report to you through the Superintendent of Public Works. I regret to state that our unfinished Railroads have not been pressed to completion as it was hoped at one time they would be, and as the people had a right to expect. The mistake in this business was, in issuing at one time so large an amount of bonds to the railroad corporations. It is true the former mode of issuing them to the Presidents of the corpora-

tions was observed; yet the amount suddenly thrown upon the market, together with the gold speculation in New York in October last, operated to put the bonds, as a general rule, to a figure not more than one-fourth their value. It would have been fortunate for these corporations and for the State if the bonds had been sold, early in October last, for fifty cents in the dollar.

The Eastern Division of the Western Extension is pressing forward slowly but steadily through the Blue Ridge, but it is feared the want of means will prevent its completion to Asheville. Some work has been done on the projected roads beyond Asheville. But the work is languishing, and I regret to state that I can see no means immediately at hand to prosecute it.

The people of the Western part of the State have long felt the want of Railroad communication. There is no finer region of country in the world than that which lies west of the Blue Ridge. Every part of the State is interested in penetrating through that region to the Mississippi valley. If this work could be accomplished, the beneficent results would soon be seen in the diversion of a large amount of trade and travel through the State, and in the rapid development of the great resources of Western North Carolina. I am not without hope that aid may be expected from Congress for this work, as a part of the great Southern Pacific line.

There are at present two Boards of Directors and two Presidents of the Wilmington, Charlotte and Rutherford railroad. This conflict of authority is calculated to obstruct the business of this corporation, and to impede the work of construction, which, for some time past, has not progressed rapidly. Under a recent decision of our Supreme Court, in the case of *R. Y. McAden, "tax payer," &c., v. D. A. Jenkins, Public Treasurer, and the Wilmington, Charlotte and Rutherford Railroad Company*, I was of opinion, which is unchanged, that the State was entitled to a representation in the Directory of that Company. I trust you will give to this conflict of authority your early attention. It may be that your honorable body will be able to adjust the difficulty that exists, yet I

incline to the opinion that it can be settled only by the Supreme Court.

The North Carolina Railroad, which was chartered in 1848, is now in a prosperous condition, and is realizing the most sanguine expectations of its early advocates and friends. It has been conducted in the best and most satisfactory manner by its president, William A. Smith, Esq., aided and sustained as he has been by a Board of twelve Directors, eight of whom are appointed by the State and four chosen by the Stockholders. This corporation, under this admirable management, is now paying six per cent. per annum on its whole capital stock of four millions of dollars. Propositions have been made by capitalists to lease this road for a term of years, but I have instructed the State proxy to vote against any lease or sale, and the State Directors, appointed by the Governor and Council, are not expected to favor any step which will deprive the State of its control of this valuable road. I respectfully and earnestly recommend that the State continue to hold and control this road. No consideration or advantage which is likely to be offered, should induce the State to part with this property either by sale or lease.

The report of the Board of Education will show the transactions of that body for the past year. Your attention is invited to the suggestions in the report in relation to the interest now due from the State to the public school fund; also, to the statements with reference to Swamp Land transactions.

The contract made by the Board of Education with Messrs. Bible and Carrow, for certain swamp lands, has not been complied with on their part. That the Board made a good bargain for the State in contracting to dispose of these lands to these gentlemen, there can be no doubt; and one of the best evidences of this is the fact that they elected, when the time arrived for the first payment, not to make the payment, and thus forfeit what they deemed a bad bargain for themselves. There are considerable bodies of swamp lands that are valuable; but it is well that the people of the State

should understand that these lands are not at present available as a source of income to the school fund. Indeed, they never have been available for this purpose. They have cost the State more money than has yet been received from sales of them. They will grow in value and importance as the population of that part of the State in which they are situated increases, and as capital and labor are applied to fit them for cultivation. I am sustained in this view of the unprofitable character of these lands by the experience of preceding administrations. But they ought not to be sacrificed. The State can afford to hold them, and, after a while, they will be sought, purchased and occupied, and thus add to the general wealth.

The Reports of the Superintendent of Public Instruction, of the Superintendent of Public Works, of the Auditor, of the Secretary of State, of the Attorney General, of the Principals of the two Asylums, and of the Penitentiary Commissioners, will afford valuable information for your honorable body.

The revenue for the support of public schools, for the school year commencing October 1st, 1869, and closing September 30, 1870, was, from all sources, $152,281.82. The amount paid during the year for wages of teachers was $42,862.40. The amount actually paid into the Treasury for schools for the year ending September 30, 1871, is $90,407.80. There have been schools during the past year in seventy-four of the ninety Counties. There are about eight hundred Townships in the State, and schools have been kept in three hundred and fifteen of these, making about twelve hundred and fifty schools. It is estimated that about forty-five thousand children have attended these schools. Of these there were white, thirty-two thousand six hundred and fifty, and colored twelve thousand three hundred and fifty. The number of school-houses reported is seven hundred and nine, and the average monthly pay of teachers is twenty-four dollars.

Up to the commencement of the late war, North Carolina had the best system of common schools of any State south of the Potomac. In former days the leading public men of all parties

vied with each other in caring for and promoting the education of all the children. Would that those days would return! Our present system is in its infancy, is poorly endowed, and has to contend with many difficulties. We should not despond in the prosecution of this good work. Every man and woman who loves North Carolina should lend a helping hand to this cause. It is vain to hope that the rising and coming generations will govern themselves properly, and guard and maintain their liberties, if they are deprived of the advantages of education and allowed to grow up in ignorance.

I trust that the government of the United States will turn its attention to this matter and establish a national system of public instruction. Such a policy on the part of that government would confer immeasurable benefits on the people of the Southern States, and would give the strength of adamant to the pillars which sustain the national edifice. I trust the Senators and Representatives in Congress from this State and from all the Southern States, will urge this subject on that body with an earnestness and perseverance which will take no denial.

I regret to inform you, gentlemen, that the State University is burdened with debt, and is in a languishing condition. I respectfully urge you to take some steps to sustain it, and to place it on a footing which will command the patronage of the people. All that I have ever desired or do now desire in relation to this institution is, that national, and not sectional sentiments shall be inculcated in it. Let it be *an institution of learning*, to which the youths of the State will flock, to be fitted for educators and leaders of the people, and to adorn society in their day and generation. It has been suggested that the University be leased for a term of years to a person or persons who will conduct it properly, and who will labor to build it up as a State institution. There are various schemes by which it is hoped the University will be placed on a permanent footing. Without indicating any preference as to these schemes, but with an ardent desire to see the University again

in a prosperous condition, I submit the whole matter to the Trustees and to your honorable body.

I cannot dismiss this subject without bearing my testimony to the energy and zeal which have characterized the President and Professors of this institution. It is due also to the Rev. S. S. Ashley, the Superintendent of Public Instruction, and to Rev. J. W. Hood, his Assistant, to state that they have been unwearied in the discharge of their duties, and that the success of our public school system thus far is to be attributed in a great degree to their enlightened and well-directed efforts.

A large proportion of our people are farmers. Agriculture is, therefore, a subject of primary importance. The preservation of the original fertility of the soil, and the increase of its fertility, depend on the practice of a few fundamental principles. These principles are simple, and can be easily comprehended by any one of ordinary intellect. By observing these principles population is increased, the interests of society are promoted, and the enjoyments of life are multiplied. It is the duty, as it is to the interest of every state and every community to encourage the acquisition of knowledge in farming. The simple elements of agriculture should be taught in all our schools, both public and private, as well as in the University and in the colleges. I respectfully and earnestly appeal to you, gentlemen, to give this subject your attention, and to devise such means as may be in your power to spread the knowledge of agriculture among the people and to benefit the farming interests. The State Fairs and the county fairs should be encouraged. An annual appropriation of $25,000 to these Fairs would repay the State four fold in increased production, and in the excellence of production of all kinds.

The Insane Asylum has been conducted wtth remarkable ability and success by its Superintendant, Dr. Eugene Grissom. It is now crowded to repletion with the unfortunate, and there are hundreds of insane who should be cared for, and who can not be received into the institution for the want of room. It is a sacred duty which we owe to these unfortunates, to their

families, to society, and to ourselves, to make provision for every person within our borders who is thus afflicted. I am sure, gentlemen, that you concur with me in this, and that you will do all you can to provide for the insane who are deprived of the benefits of the Asylum.

Mr. Wiley J. Palmer, for many years the efficient and zealous Principal of the State Institution for the Deaf and Dumb and Blind, has recently felt constrained, by a sense of duty to his family and to himself, to leave the State, and to accept a similar position in Canada, where his compensation is much better than it was here, coupled with the prospect of employment for life. The loss of Mr. Palmer is sensibly felt by the Institution, and the Board of Directors has not been able thus far to select a suitable successor. I commend this Institution to your attention and care, and not doubting that you will do whatever may be best to promote its prosperity, and to provide further and still greater advantages for the comparatively benighted and helpless ones for whose benefit it was established.

The salaries of the Judges of the Supreme and Superior Courts are inadequate, and should be increased. The Attorney General is is also inadequately remunerated. He is one of the most useful and indispensable officers of the government, and should receive a compensation at least equal to that allowed to the other Heads of Departments.

There are now two hundred and twenty convicts in the State Penitentiary, and there are probably two hundred more in the various County prisons who should be in it. The contractors are progressing rapidly with the main building. The site is believed to be an excellent one; and the affairs of the Penitentiary have in all respects been economically, honestly and ably managed by the Commissioners. This is an indispensable establishment, and should be pressed to completion as rapidly as the means of the State will allow.

The present governmet of North-Carolina commenced its operations on the 4th day of July, 1868. This government is

based on the political and civil equality of all men, and it was lawfully and constitutionally established by the whole people of the State. The State had just emerged from a protracted and desperate conflict with the government of our common country, in which many valuable lives and a vast amount of property had been sacrificed. It was hoped and expected that the government thus established, after so much suffering and so many calamities, would be allowed to move quietly forward protecting all alike, dispensing its benefits with an equal hand, and preparing the way for a realization of that prosperity which the State had formerly enjoyed. But the validity of the reconstruction acts was questioned, and the authority of the State was represented as having been derived in such a manner as to render it binding on the people only until an opportunity should be offered to throw it off. Combinations were formed in various parts of the State, of a secret character, the object of which was to render practically null and void the reconstruction acts, and to set at naught those provisions of the Federal and State Constitutions which secure political and civil equality to the whole body of our people. My attention was first called to these combinations in October, 1868, and I then deemed it my duty to issue a proclamation, setting forth the nature of our government, the manner in which it had been established, vindicating its authority as a government not merely *de facto* but *de jure*, and giving warning of the consequences that must follow, if any attempt should be made to subvert the government, or to assail by force the right of suffrage as guaranteed to any portion of our citizens. In that proclamation I said: "Every race of men in this State is free. The colored citizen is equally entitled with the white citizen to the right of suffrage. The poor and the humble must be protected in this right equally with the affluent and the exalted." It was also enjoined upon "all magistrates, sheriffs and other peace officers to be vigilant, impartial, faithful and firm in the discharge of their duties, magnifying and enforcing the law, ferreting out offenders, protecting the weak against

the strong who may attempt to deprive them of their rights; to the end that the *wicked may be restrained*, the peace of society preserved, the good name of the State maintained, and the *government perpetuated* on the basis of freedom and justice to all."

And in April, 1869, after the General Assembly had passed "An Act making the act of going masked, disguised or painted, a felony," I issued another proclamation setting forth this Act, and giving notice that "bands of men who go masked and armed at night, causing alarm and terror in neighborhoods, and committing acts of violence on the inoffensive and defenceless," and "depredators and robbers, who live on the honest earnings of others," would be followed and made to feel the penalty due to their crimes.

And in October, 1869, I deemed it my duty to issue another proclamation, setting forth the fact that in the Counties of Lenoir, Jones, Orange and Chatham, "there is, and has been for some months past, a feeling of insubordination and insurrection, insomuch that many good citizens are put in terror for their lives and property, and it is difficult, if not impossible to secure a full and fair enforcement of the law." I gave notice in this proclamation that violations of law and outrages in the aforesaid Counties must cease; otherwise I would "proclaim those Counties in a state of insurrection," and would "exert the whole power of the State to enforce the law, to protect those who are assailed or injured, and to bring criminals to justice."

And in March, 1870, I was forced by a sense of duty to "proclaim and declare that the County of Alamance is in a state of insurrection."

And in June, 1870, I issued another proclamation, in which, on account of ten murders mentioned, committed in four Counties, and other acts of violence, such as whipping, and the driving a State Senator from the State, I offered rewards for the arrest and conviction of murderers, amounting in the aggregate to a large sum. In this proclamation I denounced

the outrages, such as murders and scourgings, by the Ku-klux Klan, and also retaliation by others, such as the burning of stables, mills and dwelling houses; and I urged all officers, both civil and military, to aid in bringing offenders to justice and restoring peace and good order to those portions of the State.

And in July, 1870, I was forced by a sense of duty to "declare the County of Caswell in a state of insurrection."

These proclamations are printed in the "Appendix" to this document, and I trust every member of your honorable body will give them a careful perusal.

In addition to these proclamations I addressed lettters to various civil and military officers, and to citizens, urging the necessity of repressing these outrages and of enforcing the law. For the space of twelve months, while the laws were thus being set at naught, and while grand juries were failing to find bills, or, if they were found, petit juries refused to convict, I was almost constantly importuned by letters, and in person, by many of the victims of these outrages, and was urged to adopt some means of protection to society, and especially to the victims of the secret combinations referred to.

These combinations were at first purely political in their character, and many good citizens were induced to join them. But gradually, under the leadership of ambitious and discontented politicians, and under the pretext that society needed to be regulated by some authority outside or above the law, their character was changed, and these secret Klans began to commit murder, to rob, whip, scourge and mutilate unoffending citizens. This organization or these combinations were called the Ku Klux Klan, and were revealed to the public, as the results of the measures which I adopted, as "*The Constitutional Union Guards*," "*The White Brotherhood*," *and* "*The Invisible Empire*." Unlike other secret political associations, they authorized the use of force, with deadly weapons, to influence the elections. The members were united by oaths which ignored or repudiated the ordinary oaths or obligations

resting upon all other citizens to respect the laws and to uphold the government; these oaths inculcated hatred by the white race against the colored race: the members of the Klan, as above stated, were hostile to the principles on which the government of the State had been reconstructed, and in many respects hostile to the government of the United States. They met in secret, in disguise, with arms, in a dress of a certain kind intended to conceal their persons and their horses, and to terrify those whom they menaced or assaulted. They held their camps, and under their leaders they decreed judgment against their peaceable fellow-citizens from mere intimidation to scourgings, mutilations, the burning of churches, schoolhouses, mills, and in many cases to murder. This organization, under different names, but cemented by a common purpose, is believed to have embraced not less than forty thousand voters in North Carolina. It was governed by rules more or less military in their character, and it struck its victims with such secrecy, swiftness and certainty as to leave them little hope either for escape or mercy. The members were sworn to obey the orders of their camps even to assassination and murder. They were taught to regard oaths administered before magistrates and in courts of justice, as in no degree binding when they were called upon to give testimony against their confederates. They were sworn to keep the secrets of the order—to obey the commands of the chief—to go to the rescue of a member at all hazards, and to swear for him as a witness, and acquit him as a juror. Consequently, grand juries in many counties frequently refused to find bills against the members of this klan for the gravest and most flagrant violations of law; and when bills were found, and the parties were arraigned for trial, witnesses, members of the order, would in nearly every case come forward, and, taking an oath before the court on the Holy Evangelists to tell the truth, the whole truth, and nothing but the truth, would swear falsely, and would thus defeat the ends of justice. There are, at least, four judges and four solicitors in the state who will bear witness to the fact, from their own

experience, that it was very difficult, if not impossible, to convict members of this klan of crimes and misdemeanors. I have information of not less than twenty-five murders committed by members of this klan, in various counties of the state, and of hundreds of cases of scourging and whipping. Very few, if any, convictions have followed in these cases. The civil law was powerless. One state senator was murdered in the open day in a county court house, and another state senator was driven from the state, solely on account of their political opinions. In neither case was a bill found by a grand jury. A respectable and unoffending colored man was taken from his bed at night and hanged by the neck until he was dead within a short distance of a county court house. Another colored man was drowned because he spoke publicly of persons who aided in the commission of this crime. No bills were found in these cases. A crippled white man, a native of Vermont, was cruelly whipped because he was teaching a colored school. No bill was found in this case. The sheriff of a county was waylaid, shot and killed on a public highway, and the colonel of a county was shot and killed in open day, while engaged in his usual business A county jail was broken open, and five men taken out and their throats cut. Another jail was broken open, and men taken out and shot, one of whom died of his wound. Another jail was broken open, and a United States prisoner released. No punishments followed in the cases. The members of this Klan, under the orders of their Chiefs, had ridden through many neighborhoods at night, and had punished free citizens on account of their political opinions, and had so terrified many of them by threats of future visitations of vengeance that they fled from their houses, took refuge in the woods, and did not dare to appear in public to exercise their right of suffrage. Some of these victims were shot, some of them were whipped, some of them were hanged, some of them were drowned, some of them were tortured, some had their mouths lacerated with gags, one of them had his ear cropped, and others, of both sexes, were subjected to indignities which were disgraceful not merely to civilization

but to humanity itself. The members of this Klan under the order of their chiefs, had ridden, defiantly and unmolested, through the towns of Hillsboro', Chapel Hill, Pittsboro' and Graham, committing crimes, defying the lawful authorities, and causing real alarm to all good people. In fine, gentlemen, there was no remedy for these evils through the civil law, and but for the use of the military arm, to which I was compelled to resort, the whole fabric of society in the State would have been undermined and destroyed, and a reign of lawlessness and anarchy would have been established. The present State government would thus have failed in the great purpose for which it was created, to wit: the protection of life and property under equal laws; and, necessarily the national government would have interfered, and, in all probability, would have placed us again and for an indefinite period under military rule.

In June, 1869, about twelve months before I declared the counties of Alamance and Caswell in a state of insurrection, I caused eighteen men, murderers and robbers, to be arrested in Lenoir and Jones. They were examined berore Judge Thomas. Five of them turned State's evidence, and exposed the secrets of the Klan and the crimes of their confederates. None of them have been convicted. Yet the result of these arrests was, that peace and order were almost immediately re-established in those counties.

In the early part of 1870 I employed, in Chatham, Capt. N. A. Ramsay, and in Orange Capt. Pride Jones, both belonging to the political party opposed to my administration, to aid in repressing the Kuklux and in composing the troubles in those counties. They performed their duty in a manner which entitles them to the thanks of every friend of law and order.

In July, of the present year, I deemed it my duty to embody a portion of the militia, and to make a number of arrests of suspected persons in the counties of Alamance and Caswell. I exercised this power by virtue of the state constitution, which declares that "the governor shall be commander-in-chief, and have power to call out the militia to execute the law,

suppress riots or insurrection, and to repel invasion." And also by virtue of an act of the general assembly, passed at the session of 1869–'70, which provides that the "governor is hereby authorized and empowered, whenever in his judgment the civil authorities in any county are unable to protect its citizens in the enjoyment of life and property, to declare such county to be in a state of insurrection, and to call into active service the militia of the state to such an extent as may become necessary to suppress such insurrection; and in such case the governor is further authorized to call upon the president for such assistance, if any, as in his judgment may be necessary to enforce the law."

This was my authority, gentlemen, for the course which I adopted in this grave emergency. It was my sworn duty, as Chief Magistrate of the State, to "execute justice and maintain truth." I was satisfied that the civil authorities in the counties referred to were not able to protect their citizens in the enjoyment of life and property; and, after much forbearance, and many remonstrances, and when patience was exhausted, I could adopt no other course which promised to restore civil law and to re-establish peace and order in those Counties.

Many of the persons thus arrested were examined before the Chief Justice and two of the Associate Justices of the Supreme Court, in this City, and forty-nine of them were bound over to appear and answer to the Superior Courts of Caswell and Alamance. It is supposed that not less than twenty or thirty of the worst characters in Caswell and Alamance and other Counties, have fled the State, to escape arrest and punishment for their numerous crimes.

The correspondence between the Chief Justice and myself in relation to these matters, and all the material evidence elicited in the cases, are given in the Appendix to this document, to which I invite your attention.

I did not proceed to final action in this matter until I had consulted the President of the United States, which I did in

person in July last. It will be seen, by his letter published in the Appendix, that he sustained me in my action. The federal troops in the State at that time were reinforced by his order, and every precaution was taken to prevent resistance to the steps which I deemed absolutely indispensable to the restoration of the civil law and the re-establishment of peace and order.

The Report of the Adjutant General, which will be laid before you, will contain information as to the operations of the militia in Alamance and Caswell, and statements of the expenses of the same. Any information on this or other subjects which the General Assembly may desire, will be promptly and cheerfully furnished.

The result of this action on the part of the Executive, in pursuance of the Constitution and the laws, has been in the highest degree fortunate and beneficial. The power of the State government to protect, maintain, and perpetuate itself has been tested and demonstrated. The secret organization which disturbed the peace of society, which was sapping the foundations of the government, setting the law at defiance, and inflicting manifold wrongs on a large portion of our people, have been broken up. Well meaning, honest men, who had been decoyed into this organization, have availed themselves of this opportunity to escape from it, and will henceforth bear their testimony against it as wholly evil in its principles and its modes of operation. (A score or more of wicked men have been driven from the State, while those of the same character who remain have been made to tremble before the avenging hand of power. The majesty of the law has been vindicated. The poor and the humble now sleep unmolested in their houses, and are no longer scourged or murdered on account of their political opinions. Peace and good order have been restored to all parts of the State, with the exception of the County of Robeson, in which some murderers and robbers are still at large, but it is expected they will speedily be arrested and brought to punishment.) In view of this altered and gratifying

condition of things I issued another proclamation on the 10th of this month, revoking former proclamations which placed Alamance and Caswell in a state of insurrection. Allow me, gentlemen, to say to you in the language of this proclamation of the 10th instant, that I trust that peace and good order may continue: that partizan rancor and bitterness may abate; that our people of all classes and conditions may cultivate harmony and good will among themselves; and that the whole people of the State, without respect to party, may unite fraternally and cordially to build up North Carolina, and to elevate her to the proud eminence which she once occupied as a member of the American Union.

It will afford me pleasure, gentlemen, to co-operate with you in such measures as may be considered best calculated to promote the prosperity and happiness of our people.

I have the honor to be, with great respect,

Your obedient servant,

W. W. HOLDEN.

Mr. Welch moved that the message and accompanying documents be transmitted to the Senate.

Mr. Justice moved to amend the motion by inserting that the matter be printed and that twenty copies be distributed to each member of the House.

Mr. French called the ayes and noes on the adoption of the amendment, the call was sustained and the amendment lost—Ayes 35; Noes 64.

YEAS—Messrs. Brooks, Brown, Bryan of Jones, Bunn, Buxton, Collis, Copeland, Dudley, Duckworh, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Rollins, Lyon, Mabson, Morgan of Wake, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Tucker, Willis, Williamson, and Young of Wake—35.

NAYS—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Carson, Chamberlain, Clinard, Crawford,

Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris, of Guilford, Houston, Hill, Hinnant, Johnson of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of of Davie, Kelly of Moore, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McNeill, Morris, Morgan of Montgomery, Mills, Nicholson, Powell, Rankin, Reid, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Young of Yancey, and York—64.

Mr. Welch then called the previous question. The call was sustained and the motion adopted.

By Mr. Welch, a resolution that the flag on the capitol be placed at half-mast, and the bell be tolled as on funeral occasions during the Lee memorial ceremonies on to-morrow. Adopted.

Mr. Faulkner moved that Mr. Cook be allowed to qualify and take his seat as a member of this House from Caswell.

Mr. Sparrow objected, as the gentleman was without credentials, and the motion was withdrawn.

On motion of Mr. Sparrow, the House adjourned.

WEDNESDAY, November, 23d, 1870.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

On motion of Mr. Sparrow, the reading of the journal was dispensed with.

On motion of Mr. Waring the House adjourned, and proceeded to participate in the memorial ceremonies of Gen. Lee.

THURSDAY, November 24th, 1870.

The House met at 10, A. M., Mr. Speaker Jarvis in the chair.

The journal of Tuesday was read and the following corrections were made: Mr. Martin to be recorded as voting no on suspending the reading of memorial of A. G. Moore. Mr. Maxwell the same.

On motion of Mr. Welch, Messrs. Collis and Duckworth were allowed to change their votes from Mr. Sawyer to Mr. Hardy, for Engrossing Clerk of the House.

Mr. Harris, of Franklin, made the point of order that the House was not properly in session; not sustained.

Mr. Sparrow introduced a resolution to rescind the resolution of the House adjourning till Friday from Tuesday. Reso- adopted.

Mr. Johnston, of Buncombe, moved that in consideration of the fact that this is the day appointed for national thanksgiving, this House do now adjourn till to-morrow at 10 o'clock. Motion sustained and the House adjourned.

FRIDAY, November 25, 1870.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair, and opened with prayer by Rev. Mr. Nicholson.

Messrs. Darden and Regan presented their credentials and were qualified as members of the House.

Messrs. Lucas and Sykes were excused from attendance on account of sickness.

Mr. Gregory introduced a bill, H. B. No. 2, "To abolish the office of State Printer, and for other purposes."

Mr. Justice a bill, H. B, No. 3, "To fix the *per diem* and mileage of members of General Assembly;" referred to Committee on Salaries and Fees.

On motion of Mr. Welch, a message was sent, requesting the Senate to unite with the House to elect an Enrolling Clerk for General Assembly at 12 o'clock M., and informing that body that Messrs. Tomlinson and Brooks were appointed tellers on part of the House; also, that Messrs. W. J. Wilson, of Haywood, and W. D. Whitted were in nomination before the House.

Mr. Johnston, of Buncombe, by permission, presented a memorial from Mr. Nat. Kelsey, of Madison, contesting the seat of Mr. Rollins, and asked that it be referred to a select committee of five, to report in the morning.

Mr. Justice moved to refer to Committee on Privileges and Elections, and called the ayes and noes on his motion. The call was sustained and the motion lost—Ayes 33, Noes 61.

Ayes—Messrs. Bryant of Halifax, Bryan, of Jones, Bunn, Buxton, Collis, Darden, Dudley, Duckworth, Ellison, Fisher, Fletcher, French, Garrison, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Tucker, White and Willis—33.

Nays—Messrs. Anderson, Armstrong, Ashe, Atkinson, Brooks, Broadfoot, Brown, Chamberlain, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Lucky, Martin, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Rankin, Regan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Woodhouse, Young of Yancey and York—61.

Mr. Crawford moved to amend by making the committee consist of seven. The amendment was adopted, and Messrs. Dunham, Crawford, Justice, Broadfoot, Gregory, Darden and Harris, of Franklin, appointed as committee.

A report from the Code Commission was received and read.

Mr. McAfee introduced a bill, H. B. 4, to extend the time for paying over taxes for county purposes in Cleveland.

Mr. Justice moved to amend by striking out "pay over" and insert "settle with." Amendment accepted, and on motion of Mr. McAfee the rules were suspended, and the bill passed its second and third readings, and ordered engrossed.

On motion of Mr. Justice, the vote by which the bill passed its third reading was reconsidered, and that motion laid on the table.

By Mr. Welch, a resolution asking the appointment of a committee of five to inquire into the cause of the presence of certain armed soldiers in the county of Alamance.

Mr. Ashe, by permission, a bill, H. B. 5, declaratory of the meaning of an act entitled an act to repeal certain acts passed in session of 1868–'9, making appropriations to certain railroad companies, ratified March 8th, 1870.

A message was received from the governor transmitting report of Superintendent of Insane Asylum, which upon motion was referred to Committee on Insane Asylum.

On motion of Mr. Welch, the rules were suspended and bill abolishing the office of State Printer was taken up.

Mr. Justice offered a proviso, "that the public printing be given to the lowest responsible bidder."

Mr. Hill moved to make the bill special order for Monday at 12 M.

Mr. Jones of Caldwell moved to lay the whole matter on the table, on which motion Mr. Justice called the ayes and noes.

Ayes—Messrs. Bryan of Halifax, Copeland, Dudley, Faulkner, Fletcher, Jones of Northampton, Jones of Caldwell, Mabson—8.

Nays—Messrs. Anderson, Armstrong, Ashe, Atkinson, Brooks, Broadfoot, Brown, Bryan of Jones, Bryson, Bunn, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Darden, Dickey, Duckworth, Dunham, Ellison, Fisher, French, Furr,

Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Henderson, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Luckey, Lyon, Martin, Marler, Maxwell, McAfee, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Nicholson, Nisson, Page, Parrott, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Settle, Shull, Smith of Halifax, Stanford, Stewart, Strudwick, Tucker, Tomlinson, Waring, Welch, Willis, Wilcox, Woodhouse, Young of Wake, Young of Yancey, York—89.

On motion to table printing bill, the call was sustained and motion to table lost—yeas 8, nays 89.

Yeas—Messrs. Bryant of Halifax, Copeland, Dudley, Faulkner, Fletcher, Jones of Northampton, Jones of Caldwell, Mabson—8.

Nays—Messrs. Anderson, Armstrong, Ashe, Atkinson, Brooks, Broadfoot, Brown, Bryan of Jones, Bryson, Bunn, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Darden, Dickey, Duckworth, Dunham, Ellison, Fisher, French, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Henderson, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Joyner, of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Luckey, Lyon, Martin, Marler, Maxwell, McAfee, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Nicholson, Nisson, Page, Parrott, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Settle, Shull, Smith of Halifax, Stanford, Stewart, Strudwick, Tucker, Tomlinson, Waring, Welch, White, Willis, Wilcox, Woodhouse, Young of Wake, Young of Yancey, York—89.

The vote was taken on motion to make special order, and motion lost.

The vote recurring on proviso, Mr. Justice called the yeas and nays, and the proviso was adopted—yeas 82, nays 16.

YEAS.—Messrs. Anderson, Atknison, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Darden, Dickey, Dudley, Duckworth, Dunham, Ellison, Faulkner, Fisher, Fletcher, French, Gambrel, Garrison, Grayson, Gregory, Hampton, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Henderson, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of Northampton, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Justice, Kelly of Davie, Kelly, of Moore Rollins, Kincade, Lassiter, Luckey, Lyon, Mabson, Marler, McAfee, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mithell, Nicholson, Nisson, Page, Parrott, Powell, Rankin, Reavis, Robbins, Robinson, Settle, Shull, Smith of Anson, Smith of Halifax, Smith, of Wayne Stewart, Tucker, Tomlinson, Welch, White, Williis, Woodhouse, Young of Wake, Young of Yancey, and York—82.

NAYS.—Messrs. Ashe, Broadfoot, Currie, Furr, Gore, Gullick, Hill, Johns, Jordan, Maxwell, Mills, Reid, Stanford, Strudwick, Waring and Wilcox—16.

Mr. Settle offered a proviso to the effect that the public printing shall not be awarded to any parties connected with the public printing at exhorbitant rates during the last two years.

Mr. Justice called the yeas and nayes on its adoption, and the proviso was lost, yeas 19 nayes 79:

YEAS.—Messrs. Ashe, Broadfoot, Bryson, Chamberlain, Currie, Gregory, Hampton, Hill, Johns, Maxwell, Nicholson, Rankin, Reid, Settle, Stanford, Strudwick, Waring, Wilcox and Woodhouse—19.

NAYS.—Messrs. Anderson, Armstrong, Atkinson, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Carson, Clinard, Collis, Copeland, Crawford, Darden, Dickey, Dudley, Duckworth, Dunham, Ellison, Faulkner, Fisher,

French, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Henderson, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of Northampton, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelly of Moore, Rollins, Kincade, Lassiter, Luckey, Lyon, Martin, Mabson, Marler, McAfee, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Nisson, Page, Parrott, Reavis, Regan, Robbins, Robinson, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stewart, Tucker, Tomlinson, Welch, White, Willis, Young of Wake, Young of Yancey, and York—79.

The hour for election of Enrolling Clerk having arrived the vote was taken which resulted as follows:

For Mr. Wilson 62, for Mr. Whitted 38.

For Mr. Wilson—Messrs. Anderson, Armstrong, Ashe, Atkinson, Broadfoot, Brown, Bryson, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Hill, Hinnant, Johnston of Buncombe, Johns, Jones, of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Rankin, Reid, Regan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Woodhouse, Young of Yancey, and York—62.

For Mr. Whitted—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Harris of Frankiin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Rollins, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Tucker, White, Willis, and Young of Wake—38.

Mr. Robinson moved to amend the bill refering to public printing, by changing the committee from three to five; the amendment was accepted, and on motion of Mr. Gregory the rules were suspended and the bill passed 2nd and 3rd readings and ordered to be engrossed.

On motion of Mr. Strudwick the vote by which the bill passed third reading was reconsidered and the motion laid on the table, and bill was engrossed and transmitted to the Senate.

Leaves of absence for one day were granted Messrs. Hargrove, Jordan, Reavis, Powell, Womack, Falkner, and Joyner and Hinnant of Johnson.

On motion of Mr. Justice the House adjourned.

SATURDAY, November 26th, 1870.

The House met at 10 a. m., Mr. Speaker Jarvis in the chair, and opened by prayer by Rev. Dr. Atkinson.

Mr. Martin, by permission, recorded his vote in favor of the proviso of Mr. Settle to printing bill.

By Mr. McNeil, a petition from Walter L. Steele asking payment of certain bonds held by petitioner. Referred to committee on claims.

Mr. Dunham from committee on contested election from Madison asked further time to report. Granted.

Messrs. McCaulay and Gatling appeared and were qualified as members of this House.

By Mr. French. A resolution requiring Executive officers to furnish certain reports. On calendar.

By Mr. York, a resolution calling on Secretary of Treasury to furnish statistics of expenditures for military purposes.

By Mr. Johnston, of Buncombe, a resolution (H. R. No. 8,) instructing joint committee on printing to receive sealed proposals.

H.R. No. 9. By Mr. Martin, a resolution requiring each member to furnish himself with stationery. On calendar.

H. R. No. 10. By Mr. Nicholson, a resolution concerning per diem and mileage of General Assembly. Referred to committee on salaries and fees.

H. B. No 7. By Mr. Dudley, a bill to incorporate the Methodist Episcopal Benevolent Singing School Society of Craven. On calender.

H. R. No. 11. By Mr. Johnston, of Buncombe, a resolution instructing members of Congress of N. C. to urge the passage of a bill entitled the Western North Carolina Railway Extension Company. On calendar.

H. B. No. 6. By Mr. Johnston, of Buncombe, a bill to reinstate burnt records in several counties. On calendar.

H. B. No. 8. By Mr. Morris, a bill to fix compensation of treasurers of Henderson and Northampton counties. On calendar.

H. B. No. 9. By Mr. Anderson, a bill in relation to burnt documents, &c., in the county of Clay. On calendar.

H. B. No. 10. By Mr. Garrison, a bill to repeal sec. 5. of chap. 82 of acts of 1856–'7

H. B. No. 11. By Mr. Shull, a bill for changing the boundaries of Caswell and Watauga counties. On calendar.

H. B. No. 12. By Mr. Marler, a bill to authorize sheriff of Yadkin to collect arrearages of taxes for '69–'70. On calendar.

H. R. No. 12. By Mr. Welch, a resolution authorizing A. J. Murray to collect arrears of taxes.

A message was sent transmitting the message of the Governor with accompanying documents to the Senate.

The following committee on Privileges and Elections was announced:

Messrs. Dunham, Nicholson, Hampton, Harris of Franklin, Brooks, Sykes, Joyner of Pitt, Woodhouse, Anderson, Armstrong and York.

A message was received from the Governor concerning purchase of a site for a Light House at or near Bodies Island.

H. B. No. 13. By Mr. Gregory, a bill to consent to purchase by United States government of a site for Light House near or at Bodie's Island. Referred to judiciary committee.

H. B. No. 14. By Mr. Ashe, concerning the city of Wilmington. Referred to judiciary committee.

On motion of Mr. Welch, the rules were suspended and H. R. No. 5, regarding the presence of armed soldiers in Alamance, was taken up. Mr. Settle moved to amend by inserting the county of Caswell, and that the resolution be referred to a special committee of five, with instructions to report early as possible. Amendment was accepted, and resolution referred to committee on Privileges and Elections, substituted by report of committee, November 30th, '70.

On motion of Mr. Martin, H. B. No. 3, on *per diem* and mileage was called from committee on Salaries and Fees and placed on the calendar.

House Bill No. 5, was taken up and referred to judiciary committee.

On motion of Mr. Welch, the House adjourned.

MONDAY, November 28th, 1870.

The House met at 10 A. M. Mr. Speaker Jarvis in the Chair, and opened with prayer by Rev. Mr. Grayson of the House.

Mr. J. G. Scott presented his credentials, was qualified and took his seat as a member of the House.

Messrs. Sparrow and Lucas were excused from attendance on account of sickness.

A memorial from citizens of Caswell was presentee and read and referred to committee on privileges and elections.

By consent Mr. Mills was allowed to record his vote in the affirmative on Mr. Justice's proviso to H. B. No. 2, regarding Public Printer.

Mr. Durham, from Committee on Elections, reported the

majority on contested election from Madison. Mr. Justice, a minority, report signed by himself, and Mr. Harris, of Franklin, and Mr. Darden, a report from same committee.

H. R. No. 13. By Mr. York, a resolution in favor of the sheriff of Wilkes.

H. R. No. 16. By Mr. Waring, a resolution fixing *per diem* and mileage of members, and asked that it be laid on the table.

H. R. No. 15. By Mr. Settle, a resolution declaring vacancies in the representation from Alamance and Caswell.

H. R. No—. By Mr. Young, of Yancey, a resolution in favor of W. E. Piercy, sheriff of Yancey. On calendar.

H. R. No. 18. By Mr. Johnson, of Edgecombe, a resolution in regard to stationery. On calendar.

H. R. No. 17. By Mr. Gambriel, a resolution in favor of J. C. Jones, sheriff of Alleghany. On calendar.

H. R. No. 19. By Mr. Fletcher, a resolution requiring investigation in regard to expenditure of certain public moneys. On calendar.

H. R. No. 20. By Mr. Grayson, a resolution regarding a general amnesty. On calendar.

H. R. No. 21. By Mr. Nicholson, a resolution limiting amount of matter to be printed. On calendar.

H. R. No. 14. By Mr. Kelly, of Davie, a resolution in favor of S. A. Kelly, sheriff of Davie.

H. B. No. 15. By Mr. Page, a bill to fix *per diem* of members of General Assembly.

H. B. No. 16. By Mr. Strudwick, a bill to repeal an act entitled "An act to secure the better protection of life and property." On calendar.

H. B. No. 23. By Mr. Gambrel, a bill to confirm the sale of town lots in the town of Sparta. On calendar.

H. B. No. 18. By Mr. Grayson, a bill to allow enterers of vacant lands further time to obtain grants.

H. B. No. 19. By Mr. McAfee, a bill requiring applicants to practice law to be examined by Supreme Court.

H. B. No. 17. By Mr. Smith, of Wayne, a bill to repeal

an act to extend the corporate limits of the town of Goldsboro'.

H. B. No. 20. By Mr. Shull, a bill for relief of sheriff of Watauga. On calendar.

H. B. No. 21. By Mr. Dudley, a bill in reference to taking shad in Neuse river and Contentnea creek. On calendar.

H. B. No. 22. By Mr. Standford, a bill to establish rates of interest and amend usury laws. Referred to the committe on judiciary.

H. B. No. 24. By Mr. Morris, a bill authorizing the Sheriff of Henderson to collect arrears of taxes for 1868-'9. On calendar.

H. B. No. 25. By Mr. Anderson, a bill to pay expenses of certain lunatics and idiots in the county of Clay. On calender.

On motion of Mr. Young, of Yancey, the rules were suspended and H. R. No. — in favor of W. E. Piercy, sheriff of Yancey, was taken up, and passed 2d and 3d readings.

On motion of Mr. York, the rules were suspended and H. R. No. 13, in favor of sheriff of Wilkes was taken up, and on motion of Mr. French, postponed to December 20.

Mr. Grayson moved to suspend the rules and take up H. B. No. 18, in reference to vacant lands. Mr. Strudwick moved reference to judiciary committee.

The motion prevailed and the bill was referred.

Mr. Robbins called for reading of report of Public Treasurer. Report not in the House.

On motion of Mr. Johnston, of Buncombe, the rules were suspended and the contested election matter from Madison was taken up.

Mr. Sykes moved that report of Mr. Darden be substituted for report of majority and called the yeas and nays. The call was sustained and the motion lost—yeas 33; nays 70.

YEAS—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Chamcerlain, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Garrison, Gatling, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northamp-

ton, Justice, Lyon, Mabson, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott Reavis, Robbins, Sykes, Tucker, Willis, Young, of Wake—33.

Nays.—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryson, Cawthorne, Carson, Clinard, Crawford, Currie, Dickey, Dunham, Fisher, French, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Franklin, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Stewart, Strudwick, Waring, Welch, White, Wilcox, Womack, Woodhouse, Young of Yancey, and York—70.

Mr. French moved to recommit the matter to committee on privileges and elections, and empower the committee to send for persons and papers.

Mr. Crawford rose to a question of privilege, declaring against the right of the contestants to speak before the House. The question was not sustained, when Mr. French called the yeas and nays on his motion to recommit. The call was sustained and the motion was not sustained—yeas 40, nays 62.

Yeas—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Carson, Chamberlain, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Gatling, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Tucker, Willis, White, Young of Wake—40.

Nays—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Johnston

of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Woodhouse, Young of Yancey, York—62.

The majority report was then adopted, and on motion of Mr. Strudwick, Mr. Kelsey (who was declared by report of majority entitled to a seat,) came forward, was qualified and took his seat.

On motion of Mr. Justice, a resolution was adopted re-calling the report of the Public Treasurer from the Senate.

On motion of Mr. Johnston, of Buncombe, the rules were suspended and H. R. No. 11, of instructions to members of Congress regarding W. N. C. R. Extension Co., was taken up and unanimously adopted.

Leave of absence was granted Mr. Lassiter until ——

By order of the Speaker, the following committees were announced:

Committee on Judiciary.—Messrs. Sparrow, McAfee, Johnston of Buncombe, Welch, Dunham, Broadfoot, Jordan, Scott, Ashe, Gregory, Hargrove, Settle, McCauley, Stanford, Strudwick and Fisher.

Committee on Finance.—Messrs. Strudwick, Ashe, Johnston of Buncombe, Reid, Chamberlain, Smith of Anson, Morris, Guyther, Darden, Houston and Stanford.

Committee on Internal Improvements.—Messrs. Welch, Gregory, Kelly of Davie, French, Dickey, Luckey, Justice, Page, Gatling, McNeil, Young of Yancey, and Bryson.

On motion, the House adjourned.

TUESDAY, November 29, 1870.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair, and opened with prayer by Rev. Mr. Pritchard, of the city.

Messrs. Goodwyn and Cawthorne, members elect, appeared and were qualified.

A memorial from Wm. D. Newsome, from Hertford, claiming a seat in this House, was received, read, and referred to committee on privileges and elections.

Mr. Martin presented a petition from citizens of Carteret, relative to the taking of wild fowl.

Mr. Phillips, member elect from Wake, appeared and was qualified as member of the House.

H. R. No. 23. By Mr. Marler, a resolution to raise a joint committee of five on *per diem* and mileage. Referred to committee on salaries and fees.

H. B. No. 26. By Mr. Robbins, a bill to authorize the sheriff of Bertie to collect arrears of taxes. calendar.

H. R. No. 25. By Mr. French, a resolution requesting opinion of Attorney General on interest of the State in the Wilmington, Charlotte and Rutherford Railroad.

H. B. No. 27. By Mr. Grayson, a bill to authorize the sheriff of McDowell to collect arrears of taxes. On calendar.

H. R. No. 26. By Mr. Mitchell, a resolution allowing the sheriff of Stokes, W. H. Gentry, to collect arrears of taxes.

H. R. No. 27. By Mr. Houston, a resolution requesting members of Congress to urge repeal of revenue tax on real estate.

H. B. No. 28. By Mr. McCauley, a bill to authorize the sheriff of Union to collect arrears.

H. B. No. 29. By same, a bill to authorize C. Austin, sheriff of Union, to collect arrears of taxes. Both bills referred to committee on propositions and orievances.

H. R. No. 24. By Mr. Robinson, a resolution authorizing W. H. Higden, sheriff of Macon, to collect arrears of taxes. On calendar.

H. B. No. 30. By Mr. Broadfoot, a bill to restore to Western North Carolina Railroad Company certain chartered privileges.

H. B. No. 31. By Mr. Page, a bill declaring ten hours to be a day's work. On calendar.

H. B. No. 32. By Mr. Stanford, a bill to repeal an act relative to taking fish in the Northeast branch of the Cape Fear river. Referred to committee on propositions and grievances.

H. B. No. 33. By Mr. Collis, a bill fixing *per diem* and mileage of members of General Assembly.

H. B. No. 34. By Mr. Grayson, a bill to amend act in relation to Mechanics and Laborer's lien.

H. B. No. 35. By Mr. Duckworth, a bill to authorize sheriff of Transylvania to collect arrears of taxes.

H. B. No. 36. By Mr. Justice, a bill to charter Spartanburg and Rotherford Railroad Company. Referred to committee on internal improvements.

Mr. Sykes gave notice that in thirty days he would introduce a bill to change the name and legitimate one Florence Cherry.

Leave of absence was granted Mr. French for one week.

On motion a message was sent requesting the Senate to join this House in the election of United States Senator at 22 o'clock M.

Mr. Brooks moved to reconsider the vote by which the majority report on contested election case from Madison was adopted. Mr. Strudwick moved to lay the motion on the table. Mr. Justice called the ayes and noes, and the motion to table prevailed—ayes 65, noes 40.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot Carson, Chamberlain, Clinard, Currie, Dickey, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincade, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson,

Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Woodhouse, Young of Yancey, and York—65.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorne, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwyn, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith of Halifax, Tucker, Willis, White and Young of Wake—40.

Mr. Ashe moved that H. B. No. 14, concerning the city of Wilmington, be referred to the Judiciary Committee. Motion lost.

On motion of Mr. Marler, H. R. No. 23 was taken up and passed second reading, and on motion of Mr. Strudwick, referred to committee on Salaries and Fees.

On motion of Mr. French the rules were suspended and H. R. No. 25, asking opinion of Attorney General on State's interest in Wilmington, Charlotte and Rutherford Railroad, was taken up and adopted.

H. B. No. 6. (To restore burnt records,) was taken up, and on motion of Mr. Justice, referred to judiciary committee.

A message was received informing the House that the Senate had passed a resolution in favor of A. Murray, sheriff of Alamance, and asking concurrence. Resolution referred to finance committee.

H. B. No. 7. To incorporate M. E. Benevolent Singing School Society, was taken up and referred to committee on corporations.

H. B. No. 8. Relative to Treasurer's of Henderson and Northampton, was taken up and referred to finance committee.

A message was received from the Senate concurring in request to go into election of U. S. Senator at 12 M.

H. B. No. 9. To establish burnt records in Clay was then taken up, and on motion of Mr. Houston, referred to judiciary committee.

H. B. No. 10. To repeal Sec. 5, chap. 82 of laws of 56–'7, was taken up, and on motion referred to committee on corporations.

H. B. No. 11. Was taken up, (to change boundaries of Caldwell and Watauga, and referred to committee on counties and townships.

H. B. No. 12. In favor of sheriff of Yadkin was taken up and referred to finance committee.

H. B. No. 14. Concerning the city of Wilmington was taken up and referred to judiciary committee.

H. B. No. 15. On *per diem* and mileage was taken up and referred to committee on salaries and fees.

H. B. No. 16. To repeal "an act for the better protection of life and property," was taken up. Mr. French moved to refer to committee on Propositions and Grievances.

Mr. Strudwick called the previous question on second reading of the bill, when the hour for election of U. S. Senator having arrived, a message was received from the Senate informing the House that Messrs. Morehead and Moore were appointed to superintend the election on part of Senate, and that Messrs. Zebulon B. Vance and Joseph C. Abbott, were in nomination before that body.

Messrs. Robinson and Hargrove were appointed tellers on part of the House, and the House proceeded to vote for Senator of the United States for the term commencing March th A. D. 1871.

The ballott resulted as follows:

For Z. B. Vance—Mr. Speaker, Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnson, Joyner of Pitt, Jordan, Kelly of

Davie, Kelly of Moore, Kelsey, Kincade, Luckey, Martin, Maxwell, McAfee, McCauley, McNeil, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Young of Yancey, York—64.

For Joseph C. Abbotts and others—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorne, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Goodwyn, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morgan of Wake, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Tucker, White, Willis—31.

For Z. B. Vance 64, Jas. C. Abbott 31, M. W. Ransom 3, A. S. Merrimon 2, E. J. Warren 2, A. H. Jones, W. A. Moore, and S. F. Phillips each 1.

And a message was sent informing the Senate of result of ballot.

Mr. Johnson, of Edgecombe, called the ayes and noes on motion to refer H. B. No. 16.

The call was sustained and the motion lost, ayes 32, noes 77.

Ayes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwyn, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morgan of Wake, Nisson, Page, Reavis, Robbins, Smith of Hallifax, Sykes, Tucker and Willis—32.

Nays—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Brown, Bryson, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Franklin, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lucas, Luckey, Martin, Morler, Maxwell, McAfee, McCauley, McNeill, Morris, Morgan

of Montgomery, Mills, Mitchell, Nicholson, Parrott, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, White, Welch, Wilcox, Womack, Woodhouse, Young of Yancey, and York—77.

The ayes and nays were then called on 2nd reading of bill; the call was sustained and the bill passed 2nd reading. Ayes 85, noes 25.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryan of Jones, Bryson, Cawthorne, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Darden, Dickey, Duckworth, Fletcher, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Northampton, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelley of Davie, Kelley of Moore, Kelsey, Kincade, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Morris, Morgan of Montgomery, Mills, Mitchell, Nicholson, Parrott, Phillips, Powell, Rankin, Reid, Reagan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, White, Wilcox, Womack, Woodhouse, Young of Yancey and York—85.

Nays—Messrs. Bryant of Halifax, Bunn, Copeland, Dudley, Ellison, Faulkner, Fisher, French, Garrison, Goodwyn, Hargrove, Hardy, Johnson of Edgecombe, Justice, Lyon, Mabson, Morgan of Wake, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker and Willis—25.

H. R. No. 22. Mr. Robinson, by permission, introduced a resolution requiring return of certain books to House Library.

By order of Mr. Speaker, Mr. Phillips was added to Committee on Judiciary.

Leave of absence for four days was granted Mr. Waring.

And on motion the House adjourned.

WEDNESDAY, November 30th, 1870.

The House met at 10 A. M., Mr. Speaker in the chair, and opened with prayer by Rev. Dr. Atkinson, of the city.

Mr. Jordan presented a memorial from citizens of Caswell county, declaring the county unrepresented in the General Assembly. Referred to committee on Privileges and Elections.

Mr. McAfee, from Judiciary Committee, reported on H. B. No. 18, relating to entries of land, recommending its passage with amendments.

Mr. Strudwick, from Committee on Finance, reported favorably on adoption of S. R. No. 1, for relief of A. Murray, sheriff.

Mr. Dunham from Committee on Elections, reported a substitute for resolutions (H. Nos. 5 and 15,) and for memorial of citizens of Caswell, to wit:

"Whereas, by acts of his Excellency the Governor, in declaring the counties of Alamance and Caswell in a state of insurrection, and sending into said counties a military force, the citizens of said counties were deprived of that freedom of political action which is their undoubted right; and whereas, in consequence thereof no valid election was held in said counties in August last; therefore,

Resolved, That vacancies exist in the representation of said counties of Alamance and Caswell, in this House.

Resolved further, That the Speaker of this House be directed to inform his Excellency the Governor of the State of North Carolina of the said vacancies, to the end that he may proceed to have the same filled as the Constitution of the State and the laws thereof direct."

Mr. Sparrow, from Committee on Rules reported recommending the adoption of the rules of session of '69–'70, with certain alterations. Mr. Crawford from Committee on Engrossed Bills, reported H. R. No. 27 as correctly engrossed.

H. R. No. 28. By Mr. Robinson, a resolution to provide for

the completion of Western Division of W. N. C. R. R. On calendar.

H. R. No. 29. By Mr. Tomlinson, a resolution appointing a committee of three to purchase stationery.

H. R. No. 30. By Mr. Strudwick, a resolution to refer that portion of the governor's message relating to insurrections to select committee of five.

H. B. No. 37. By Mr. Darden, a bill to prescribe time for sheriffs to settle taxes.

H. B. No. 38. By Mr. Robinson, a bill to repeal section 7, chap. 167, of laws of 1868–'69. Referred to judiciary committee.

H. B. No. 39. By Mr. Grayson, a bill to fix *per diem* and mileage of members. Referred to committee on salary and fees.

H. B. No. 40. By Mr. Tucker, a bill on same subject and same reference.

H. B. No. 41. By Mr. Joyner, of Johnson, a bill to make failure to work on public roads a misdemeanor. Referred to committee on counties and townships.

H. B. No. 42. By Mr Morris, a bill to authorize commismissioners of Henderson to dispose of poor house lands.

H. B. 43. By Mr. Copeland, a bill to prevent felling of trees in Little river.

On motion of Mr. Smith, of Wayne, the rules were suspended and H. B. No. 17 in reference to town of Goldsboro', was taken up and referred to committee on counties and towns.

By order of the Speaker the following standing committees were announced.

Committee on Engrossed Bills.—Messrs. Crawford, Smith of Wayne, Powell, Clinard, Hinnant, Hardy, Bunn, Morgan of Wake, Gambriel, Kincade and Lyon.

Committee on Penal Institution.—Messrs. Jordan, Harris of Guilford, French, Hinnant, Womack, Kelly of Moore, Bunn, Mabson, Martin, Stewart and Shull.

Committee on Education.—Messrs. Hill, Tomlinson, Mc-

Afee, Scott, Robinson, Lucas, Cawthorne, Jones of Caldwell, Parrot, Ellison and Harris of Guilford.

Committee on Corporations.—Messrs. Broadfoot, Henderson, Regan, Marler, Joyner of Johnson, Currie, Morgan of Wake, Johnson of Edgecombe, Johns, Garrison and Furr.

Committee on Claims.—Messrs. Settle, Jones of Caldwell, Atkinson, Gore, Young of Wake, Carson, Jones of Northampton, Lassiter, Atwater, Buxton and Wilcox.

Leave of absence was granted Mr. Hinnant on account of sickness in family.

On motion of Mr. Sparrow the rules were suspended and report of committee on rules was read and adopted.

The hour for comparing the votes for United States Senator having arrived the two Houses went into joint session, Mr. President Caldwell in the chair.

The Clerk of the Senate announced the vote of that body as follows: For Z. B. Vance 32, Jos. C. Abbott 11, Wm. A. Graham 1, M. W. Ransom 1, Alfred Dockery 1, E. J. Warren 1 and Jno. A. Gilmer 1—whole number 48. The Clerk of the House announced that in the House Z. B. Vance had received 63, J. C. Abbott 31, M. W. Ransom 3, E. J. Warren 2, A. S. Merrimon 2, A. H. Jones 1, W. A. Moore 1, S. F. Phillips 1—whole number 104. The President then made the following announcement.

Senators and members of the House of Representatives: It appearing from the journals of the General Assembly of the State of North Carolina that the two Houses composing the same, did, on Tuesday, the 29th day of November, A. D. 1870, in conformity with the law, proceed to elect a Senator to represent the State in the Congress of the United States for the term commencing on the 4th day of March, 1871, and ending the 4th day of March, 1877, and it also appearing from said journals that the Hon. Zebulon B. Vance, did in said election receive a majority of all the votes in each House of said General Assembly, I do therefore, hereby declare that the said Zebulon B. Vance is duly elected

Senator as aforesaid, to represent the State of North Carolina in the Congress of the United States.

Upon resumption of regular business, Mr. Justice moved that the report of the committee on Rules be printed and distributed. Mr. Gregory moved to amend by inserting standing committees. When, on motion of Mr. Strudwick, consideration was postponed to Saturday at 12 M.

A message was received from the Senate informing the House of the passage by that body of S. R. No. 31, in favor of sheriffs of Wilkes and Northampton. Referred to the committee on Finance; and of S. B. No. 22, to provide for special term of court in Davidson county, asking concurrence.

On motion of Mr. Brown, the rules were suspended and S. B. 22 was taken up. Mr. Sparrow offered an amendment which was accepted and the bill passed its 2d and 3d readings and ordered to be engrossed and transmitted to Senate.

Mr. Justice moved to reconsider the vote by which the bill passed 3d reading, and to lay the motion on the table, and motion prevailed.

On motion of Mr. Settle, the rules were suspended and resolution reported by committee on Privileges and Elections, regarding counties of Alamance and Caswell was taken up. Mr. Justice moved to strike out Alamance from report. After discussion, Mr. Dunham called the previous question; the call was sustained, when Mr. Justice called the ayes and noes on his motion to strike out. The motion did not prevail—ayes 27, noes 77.

Ayes.—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Copeland, Darden, Dudley, Goodwyn, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—ayes 27.

Noes.—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Brown, Bryson, Buxton, Carson, Chamberlain,

Clinard, Collis, Currie, Dickey, Duckworth, Dunham, Ellison, Faulkner, Fisher, Fletcher, Furr, Gambrel, Garrison, Gatling, Gore, Gulick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lucas, Luckey, Martin, Mabson, Marler, Maxwell, McAfee, MaNeill, Mills, Mitchell, Nicholson, Parrott, Phillips, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Woodhouse, Young of Yancey, and York—77.

The ayes and noes were called on the adoption of the report; the call was sustained and the report adopted—ayes 76, noes 27.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Brown, Bryson, Buxton, Cawthorne, Carson, Chamberlain, Clinard, Collis, Currie, Darden, Dickey, Dunham, Ellison, Fletcher, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Phillips, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Sykes, Tomlinson, Waring, Welch, Wilcox, Womack, Young of Yancey and York—77.

Noes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Copeland, Dudley, Faulkner, Garrison, Goodwyn, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Wake, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker, Willis, Williamson and Young of Wake—27.

A message from the Governor was received, transmitting official account of the death of W. W. Woodard, member elect from Nash county, when,

On motion of Mr. Joyner, of Johnston, the House adjourned.

THURSDAY, December 1, 1870.

The House met at 10 A. M., the Speaker in the chair, and opened with prayer by Rev. Dr. Deems.

Mr. Sparrow, from Judiciary Committee, reported favorably on H. B. No. 13, concerning the purchase of site for Light House.

Mr. Crawford, from committee on Engrossed Bills, reported H. R. No. 25, as correctly engrossed.

H. R. No. 31. By Mr. McNeill, a resolution requesting Finance Committee to report a bill concerning special tax money.

H. R. No. 32. By Mr. Justice, a resolution requiring the printing of report of Public Treasurer.

H. R. No. 33. By Mr. McAfee, a resolution regarding salaries and fees. Referred to committee on salaries and fees.

H. R. No. 34. By Mr. Harris, of Guilford, a resolution creating a school fund.

H. R. No. 35. By Mr. Dudley, a resolution in relation to private bill day.

H. B. No. 45. By Mr. Houston, a bill to amend an act incorporating town of Hickory Tavern. Referred to judiciary committee.

H. B. 44. By Mr. Jordan, a bill in favor of representatives of late sheriff of Person. Referred to judiciary committee.

H. B. 46. By Mr. Johnston, of Buncombe, a bill to render valid the acts of certain officers of the State and other purposes. Referred to judiciary committee.

H. B. No. 47. By Mr. Jones, of Caldwell, a bill to incorporate the W. N. C. R. R. and Manufacturing Company. Referred to committee on internal improvements.

H. B. No. 48. By Mr. Marler, a bill to require voting by separate ballot. Referred to judiciary committee.

H. B. No. 49. By Mr. Gullick, a bill to regulate appeals from justice's courts in certain cases. Referred to judiciary committee.

H. B. No. 50. By Mr. Sykes, a bill in relation to clerks. Referred to committee on salaries and fees.

H. B. No. 51. By Mr. Sparrow, a bill to repeal an act for holding municipal elections.

H. B. No. 52. By Mr. Anderson, a bill to provide for salaries of Governor and Public Treasurer. Referred to committee on salaries and fees.

H. B. No. 53. By Mr. Dickey, a bill to allow election of judges of Superior Courts by voters of each district. Referred to judiciary committee.

On motion of Mr. Justice, the rules were suspended and H. R. No. 33, regarding printing of Treasurer's report, was taken up. Mr. Nicholson moved to refer to joint committee on printing; motion did not prevail, and the resolution passed.

BILLS ON SECOND READING.

H. B. No. 19. Requiring applicants to practice law to be examined by supreme court. Referred to judiciary committee.

H. B. No. 20. To relieve sheriff of Watauga. Referred to finance committee.

H. B. No. 21. Relating to taking shad in Neuse river and Contentnaa creek. Referred to committee on propositions and grievances.

H. B. No. 23. In relation to sale of town lots in Sparta. Referred to committee on propositions and grievances.

H. B. No. 24. In favor of sheriff of Henderson. Referred to committee on propositions and grievances.

H. B. No. 25. Relating to lunatics in Clay county. Referred to committee on propositions and grievances.

H. B. No. 26. In favor of sheriff of Bertie. Referred to same committee.

H. B. No. 27. In favor of sheriff of McDowell. Referred to same committee.

H. B. Nos. 28 and 29. In favor of sheriffs of Union. Taken up and referred to same committee.

H. B. No. 30. In favor of Western Railroad Company. Referred to committee on corporations.

H. B. No. 31. Making ten hours a day's work. Referred to committee on agriculture.

H. B. No. 33. On *per diem* and mileage. Referred to committee on salaries and fees.

H. B. No. 35. In favor of sheriff of Transylvania. Referred to committee on propositions and grievances.

RESOLUTIONS ON SECOND READING.

H. R. No. 7. Requiring statistics from Public Treasurer. Passed.

H. R. No. 8. Regarding public printing. Referred to committee on printing.

H. R. No. 9. Regarding stationery. Laid on the table.

H. R. No. 10. In relation to *per diem*. Referred to committee on salaries and fees.

H. R. No. 14. In favor of S. A. Kelley, Sheriff of Davie. Referred to committee on propositions and grievances.

H. R. No. 17. In favor of Sheriff of Alleghany. Referred to same committee.

H. R. No. 18. In relation to stationery. Laid on the table.

H. R. No. 19. To investigate conduct of certain public officers in the management of public funds. Referred to finance committee.

H. R. No. 20. Regarding a general amnesty was taken up, when Mr. Sykes called the ayes and noes on reading. The call was not sustained and the resolution was referred to the judiciary committee.

A message was received from the Senate asking concurrence in the passage of S. B. No. 4, incorporating Hook and Ladder Company in Charlotte. Referred to committee on corporations.

S. B. No. 2. To amend the charter of the town of Washington. Referred to same committee.

S. B. No. 24. To repeal chapter 62 of laws of 1868–9. Referred judiciary committee.

S. B. No. 27. To extend time for paying over taxes in Caswell and Alamance. Referred to committee on counties and towns.

S. R. No. 5. Regarding stationery. Referred to committee on printing.

H. R. No. 21. Was taken up, and on motion of Mr. Sparrow, laid on the table.

H. R. No. 22. In regard to House Library, was taken up and passed 2nd reading.

H. R. No. 24. In favor of W. H. Higden, Sheriff. Referred to committee on proposition and grievances.

H. R. No. 26. In favor of Sheriff of Stokes. Referred to finance committee.

H. R. No. 27. Relating to instructions to members of Congress was taken up, and under suspension of rules, passed 2nd and 3rd readings, and was ordered to be engrossed.

H. R. No. 28. To provide for completion of Western Division of Western North Carolina Railroad, passed second reading.

H. R. No. 29. In regard to stationery, referred to committee on propositions and grievances.

H. B. No. 34. In relation to Laborers and Mechanics' Lien Law, on motion of Mr. Grayson was taken up and referred to the Judiciary Committee.

On motion, the rules were suspended and H. B. No. 16, to repeal act for the better protection of life and property was taken up.

Mr. Sykes moved to refer to Judiciary Committee. The motion did not prevail.

Mr. Welch called the ayes and noes on third reading. The call was sustained and the bill passed, ayes 79, noes 23, and ordered to be engrossed.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Brown, Bryan of Jones, Bryson, Buxton,

Cawthorne, Carson, Chamberlain, Clinard, Copeland, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Franklin, Harris of Guilford, Hardy, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Northampton, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Morris, Mills, Mitchell, Nicholson, Parrott, Phillips, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tomlinson, Waring, Welch, Wilcox, Womack, Young of Yancey and York—79.

Noes—Messrs. Bryant of Halifax, Bunn, Collis, Dudley, Ellison Faulkner, Fisher, Goodwyn, Hargrove, Justice, Lyon, Mabson, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Reavis, Robbins Smith, of Halifax, Sykes, Tucker, Willis and Williamson—23.

Leave of absence on account of sickness was granted Messrs. Joyner, of Pitt and Johnson, of Edgecombe, also for Mr. Mills, till Monday next.

On motion of Mr. Marler the House adjourned.

FRIDAY, December 2d, 1870.

The House met at 10 a. m., Mr. Speaker in the chair, and opened with prayer by Rev. Dr. Pritchard.

Mr. Justice asked that Geo. H. Mitchell, from Hertford, be allowed to qualify as member of the House.

Mr. Sykes moved to refer his credentials to committee on Elections and motion prevailed.

Mr. Sparrow, from Judiciary Committee, reported, recommending that H. B. No. 5 do pass, and on H. B. No. 22, that it do not pass.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. Nos. 16 and 27 and H. R. No. 7, as correctly engrossed.

Mr. Broadfoot, from committee on Corporations, reported on S. B. No. 2 and H. B. No. 17, recommending that they do pass.

A message was received from the Governor relating to improvement of the Cape Fear bar. Read and referred to judiciary committee.

H. R. No. 46. By Mr. Johns, a resolution regarding internal revenue on tobacco and liquors.

H. R. No. 47. By Mr. Marler, a resolution instructing Judiciary Committee to introduce a bill for relief of sheriffs. On calendar.

A message was received from the senate transmitting S. R. No. 45, in favor tax collector of Pitt, and asking concurrence. Resolution referred to finance committee.

H. R. No. 48. By Mr. Wilcox, in relation to *per diem* and mileage. On calendar.

H. R. No. 49. By Mr. Dickey, in favor of A. S. Hill, sheriff of Cherokee. Referred to committee on propositions and grievances.

BILLS INTRODUCED.

H. B. No. 61. By Mr. Anderson, to authorize John Patton, sheriff of Clay, to collect arrears of taxes. Referred to committee on propositions and grievances.

H. B. No. 62. By Mr. Darden, in favor of H. White, sheriff of Perquimans. Referred to same committee.

H. B. No. 63. By Mr. Hardy, in favor of sheriff of Greene county. Referred to same committee.

H. B. No. 64. By Mr. Grayson. A bill to repeal an act changing the line of McDowell and Burke counties. Referred to committee on counties and towns.

H. B. No. 65. By Mr. Garrison, a bill to fix *per diem* and mileage. Referred to committee on salaries and fees.

H. B. No. 66. By Mr. Young, of Yancey, a bill to aid in

completion of Buck creek and Indian Grove Turnpike. Referred to committee on internal improvements.

H. B. No. 67. By Mr. Morris, to amend section 52, chapter 184 of act to provide for public instruction. Referred to committee on education.

H. B. No. 68. By Mr. Hampton, a bill to enlarge the powers of county commissioners. Referred to committee on counties and townships.

H. B. No. 69. By Mr. Gullick, a bill to abolish the office of State Geologist. Referred to committee on agriculture, mechanics and mining.

H. B. No. 70. By Mr. Morris, a bill to amend chapter 277, of section 572 of laws of 1868–'9. Referred to committee on salaries and fees.

H. B. No. 71. By Mr. Welch, to amend an act in relation to Western Turnpike Road. On calendar.

H. B. No. 72. By Mr. Bryson, a bill to amend the charter of Western Division of W. N. C. R. Road. Referred to committee on internal improvements.

H. B. No. 73. By Mr. Regan, a bill concerning the town of Lumberton. Referred to the committee on corporations.

H. B. No. 74. By Mr. Ashe, to amend charter of Hook and Ladder Company of city of Wilmington. Referred to committee on corporations.

H. B. No. 75. By Mr. Joyner, of Johnston, a bill to repeal section 14 of an act of laws of 1869–'70 concerning elections and registrations. Referred to committee on privileges and elections.

A message was received from the Senate asking concurrence in the passage of H. B. No. 1, to appoint a commission to take certain depositions. S. R. 45, relating to the tax collector of Pitt county. S. R. No. 43, in regard to pages, and S. B. No. 9, as substitute for H. B. No. 4. S. B. No. 1, referred to judiciary committee; S. B. No. 9, to finance, and S. R. No. 43, to committee on propositions and grievances, and S. R. 45, referred to finance committee; H. B. No. 5, on 2d reading

was taken up and made special order for Saturday at 12 m.; H. B. No. 13, on purchase of light house site, was taken up; amendments offered by judiciary committee concurred in, and on motion of Mr. Sparrow, the rules were suspended and the bill passed 2d and 3d readings and ordered to be engrossed.

H. B. No. 22. To "establish rates of interest," &c., was taken up, and on motion of Mr. Stanford, laid on the table.

H. B. No. 43. To prevent felling trees in Little river. Referred to committee on propositions and grievances; H. B. No. 42, to allow commissioners of Henderson to sell poor house lands, referred to same committee; S. B. No. 2, to amend charter of town of Washington was taken up, when Mr. Sparrow moved amendment to section 7; amendment adopted.

Mr. Mabson moved to amend by striking out 90 and inserting 30 in line 30, section 4.

Mr. Sparrow called the previous question which was sustained, and Mr. Justice called the ayes and noes on Mr. Mabson's amendment; the call was sustained, and amendment lost—ayes 48, noes 52.

Ayes.—Messrs. Anderson, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorne, Carson, Chamberlain, Collis, Copeland, Darden, Dickey, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwyn, Grayson, Hampton, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—48.

Noes.—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Bryson, Clinard, Crawford, Currie, Dunham, Furr, Gambrel, Gore, Gullick, Gregory, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lucas, Luckey, Marler, Maxwell, McAfee, McCauley, McNeill, Mitchell, Nich-

olson, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Wilcox, Womack, Young of Yancey and York—52.

Mr. Justice called the ayes and noes on 2nd reading of the bill; the call was sustained and the bill passed—ayes 58, noes 43.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Chamberlain, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lucas, Luckey, Marler, Maxwell, McAfee, McCauley, McNeill, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Welch, Wilcox, Womack, Young of Yancey and York—58.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorne, Carson, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwyn, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—43.

Leaves of absence were granted Messrs. Young of Wake, Hargrove, Lyon and Brown for three days.

By order of Mr. Speaker, the following committees were announced:

On Propositions and Grievances—Messrs. McNeill, Rankin, Gullick, Luckey, Williamson, Willis, Goodwyn, Grayson, Armstrong and Marler.

Joint Committee on Asylum for the Deaf, Dumb and Blind—House Branch—Messrs. Mills, Tomlinson, Kelsey, Duckworth and Nicholson.

On motion House adjourned.

SATURDAY, December 3rd, 1870.

The House met at 10 a. m., Mr. Speaker in the chair, and opened with prayer by Rev. Dr. Atkinson.

Mr. McAfee from committee on Education reported favorably on H. R. No. 34, creating a school fund.

Mr. Sparrow, from Judiciary Committee, reported favorably on H. B. No. 6, to restore burnt records in the several counties; on H. B. No 38, to repeal sec. 7 chap. 167, public laws of 1868–'9, and S. B. No. 1, H. B. 59, to appoint commissioner to take certain depositions.

Mr. Ashe, from Finance Committee, recommending S. B. No. 9, to abolish office of State Printer, as substitute for H. B. No. 2; on H. B. No. 37, to prescribe time for sheriff's to settle taxes; on H. B. No. 12, in favor of sheriff of Yadkin; on H. B. No. 26, in favor of sheriff of Stokes; on H. B. No. 31, requesting Finance Committee to report a bill concerning special tax money, and on S. R. No. 45, in favor of tax collector of Pitt.

Mr. Crawford, from committee on Engrossed Bills reported several as correctly engrossed.

Mr. Broadfoot, from committee on Corporations reported favorably on H. B. No. 7, to incorporate M. E. B. S. Society, and favorably on H. B. No. 10, to repeal sec. 5, of chap. 82 of acts of 1856–'7; on H. B. No. 30, to restore privileges to Western Railroad Co., and on S. B. 2, to amend charter of town of Washington.

RESOLUTIONS INTRODUCED.

H. R. No. 50. By Mr. Martin, a resolution "to secure equal rights to members of the house.

H. R. No. 51. By Mr. Johnson, of Edgecombe, a resolution appointing special private bill day. On calendar.

H. R. No. 52. By Mr. Dunham, a resolution in favor of W. R. Cox. Referred to committee on claims.

H. R. No. 53. By same, a resolution in favor of Charles Manly. Same reference.

H. R. No. 54. By Mr. Collis, a resolution regarding a recess. On calendar.

BILLS INTRODUCED.

H. B. No. 76. By Mr. Parrot, a bill to authorize levy of special tax in Lenoir county. On calendar.

H. B. No. 77. By Mr. Powell, for relief of sheriff of Chatham. Referred to committee on claims.

H. B. No. 78. By Mr. Anderson, to regulate salaries of code commissioners. Referred to judiciary committee.

H. B. No. 79. By Mr. Fletcher, to extend powers of commissioners of Richmond county. Referred to committee on counties and towns.

H. B. No. 80. By Mr. Goodwyn, in favor of sheriff of Halifax Referred to committee on propositions and grievances.

H. B. No. 81. By Mr. Collis, in favor of sheriff of Mitchell. Referred to committee on propositions and grievances.

H. B. No. 82. By Mr. Johnson, of Edgecombe, in relation to townships. Referred to committee on counties and towns.

H. B. No. 55. By permission, Mr. Justice introduced a resolution instructing committee to report a bill for relief of the Asylum for the Deaf and Dumb and the Blind. On calendar.

H. B. No. 83. By Mr. Johnston, of Buncombe, for relief of B. K. and Geo. W. Dickey. Referred to finance committee.

H. B. No. 84. By same, for relief of J. M. Young, sheriff of Buncombe. Referred to same committee.

H. B. No. 85. By Mr. Bryson, concerning townships in county of Jackson, which, on motion, was read second and third times under suspension of the rules, and ordered to be engrossed.

On motion of Mr. Ashe, H. B. No. 14, concerning the city of Wilmington was taken up.

Mr. Robinson moved to amend by striking out "six months"

and insert "ninety days" for term of residence. Amendment adopted.

Mr. Justice moved to make bill special order for Tuesday 5th, at 11 o'clock.

Mr. Sykes moved to amend by order to print.

The hour for special order having arrived, on motion of Mr. Ashe, the whole matter was postponed.

A message was received from his excellency the Governor, transmitting report of Jacob Siler, State agent for collection of Cherokee bonds. Report referred to finance committee.

And also report of Directors of Institute for Deaf and Dumb and the Blind. Referred to committee.

Special order being H. B. No. 5, declaratory of the meaning of an act making appropriations to railroad companies, was taken up and recommitted.

Consideration of H. B. No. 14 was resumed and motion to print lost. Mr. Justice called the ayes and noes on motion to postpone till Tuesday. The call was sustained and motion lost. Ayes 39, noes 56.

Ayes.—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwyn, Harris of Franklin, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Young of Wake—39.

Noes.—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Chamberlain, Clinard, Crawford. Currie, Dickey, Dunham, Furr, Gambriel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lucas, Luckey, Marler, Maxwell, McAfee, McCauley, McNeill, Mitchell, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Smith of Anson,

Smith of Wayne, Sparrow, Stanford, Strudwick, Tomlinson, Welch, Wilcox, Womack, Young of Yancey, and York—56.

Mr. Justice moved to strike out section that requires election of Mayor by Board of Alderman, and insert "shall be elected by popular vote of said city," called the ayes and noes, the call was sustained and motion lost. Ayes 43, noes 49.

Ayes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorne, Carson, Chamberlain, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Garrison, Gatling, Goodwyn, Grayson, Harris of Franklin, Hardy, Johnson of Edgecombe, Jones of Northampton, Jones of Caldwell, Justice, Mabson, Marler, Morgan of Montgomery, Morris, Morgan of Wake, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Williamson—43.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Crawford, Currie, Dickey, Dunham, Gambrel, Gore, Gullick, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Joyner of Johnston, Jordan, Kelly of Davie, Kelsey, Kincade, Lucas, Luckey, Martin, Maxwell, McAfee, McCauley, McNeill, Mitchell, Nicholson, Powell, Rankin, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strud wick, Welch, Wilcox, Womack and Young of Yancey—49.

Mr. Justice then offered the proviso that this act shall not take effect unless ratified by the qualified voters of said city.

Called the ayes and noes, the call was sustained, and proviso not accepted. Ayes 40, noes 51.

Ayes—Messrs. Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorne, Chamberlain, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Garrison, Goodwyn, Hampton, Harris of Franklin, Harris of Guilford, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Phillips, Rankin, Reavis, Rob-

bins, Smith of Halifax, Tucker, Tomlinson, Willis and Williamson—40.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Carson, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones ot Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lucas, Luckey, Maxwell, McAfee, McCauley, McNeill, Mitchell, Nicholson, Powell, Regan, Robinson, Scott, Settle, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Welch, Wilcox, Young of Wake, and Young of Yancey—51.

Mr. Ashe called the previous question and bill passed 2nd reading. Ayes 61, nays 37.

Ayes.—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lucas, Luckey, Marler, Maxwell, McAfee, McCauley, McNeill, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Tomlinson, Welch, Wilcox, Womack, Young of Yancey, and York—61.

Noes.—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorne, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwyn, Harris of Franklin, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, and Williamson—37.

A message was received from the Senate transmitting a resolution appointing a committee on constitutional reform.

A resolution in reference to assets of the State, and inform-

ing the House of its concurrence in House amendments to S. B. providing for special court in Davidson.

A message was sent transmitting to Senate H. B. No. 13, regarding purchase by U. S. of light house site at Bodies Island, and asking concurrence in the same.

By order of Mr. Speaker, the following committee was announced.

Joint Committe on Enrolled Bills—House branch—Messrs. Robinson, Kelly of Davie, Ashe, Currie and Sykes.

Leaves of absence for two days were granted Messrs. Stewart and Copeland.

On motion of Mr. Ashe, H. B. No. 14, relative to the city of Wilmington was made special order for Monday.

On motion of Mr. Justice the house adjourned.

MONDAY, December 5th, 1870.

The House met at 10 a. m., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Carroll.

REPORTS OF COMMITTEES.

Mr. Dunham, from committee on Privileges and Elections, on petition of Wm. D. Newsome, reported, advising adoption of the following resolution:

Resolved, That William D. Newsome is entitled to a seat in this House as the representative of the county of Hertford, and that he be forthwith admitted.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. No. 85 as correctly engrossed.

Mr. Sparrow, from Judiciary Committee, reported favorably on H. B. No. 44 in favor of personal representative of sheriff of Person county.

RESOLUTIONS INTRODUCED.

H. R. No. 59. By Mr. Strudwick, of inquiry concerning seat of representative from Bladen county.

H. R. No. 60. By Mr. McNeill, in favor of Roderick McMillan, sheriff of Robeson county. Referred to committee on propositions and grievances.

H. R. No. 61. By Mr. Robbins, a resolution in favor of sheriff of Bertie county. Referred to committee on finance.

H. R. No. 62. By Mr. McAfee, a resolution of inquiry concerning clerical aid in governmental departments.

BILLS INTRODUCED.

H. B. No. 87. By Mr. Houston, requiring sheriffs to pay to county treasurers money collected for educational purposes. On calendar.

H. B. No. 88. By Mr. Dickey, for relief of sureties of J. W. C. Piercy, tax collector of Cherokee. Referred to committee on propositions and grievances.

H. B. No. 89. By Mr. Martin, for relief of John D. Davis, sheriff of Carteret. Referred to committee on finance.

H. B. No. 90. By Mr. Hill, to amend an act to lay off homestead and property exemption. Referred to judiciary committee.

H. B. No. 91. By Mr. McAfee, in relation to election of Judges of Superior Courts. Referred to judiciary committee.

H. B. No. 92. By Mr. York, to abolish the Code Commission. Referred to judiciary committee.

H. B. No. 93. By Mr. Gambriel, to change line between counties of Wilkes and Alleghany. By request, referred to committee on propositions and grievances.

H. B. No. 94. By Mr. Johnston, of Buncombe, a bill concerning a convention of the people.

H. B. No. 95. By Mr. Tomlinson, to repeal an act in relation to *per dem* and mileage. On calendar.

H. B. No. 96. By Mr. Lassiter, to appoint a tax collector for county of Randolph. Referred to finance committee.

On motion of Mr. Smith, of Wayne, the rules were suspended and H. B. No. 17 was taken up, (relating to the town of Goldsboro,) and offered a substitute in H. B. No. 86.

Mr. Cawthorne moved to refer to committee on Corporations, Mr. Ellison called ayes and noes on motion to refer. The call was not sustained.

Mr. Tucker moved to make it special order for Wednesday at 12 m. Did not prevail.

Mr. Sykes moved to amend by striking out 90 days and insert 30 days.

The hour for consideration of special order having arrived, Mr. Welch moved that it be postponed till Thursday next at at 12 m. Motion prevailed.

When Mr. Tomlinson moved to amend amendment by inserting 60 instead of 30. Motion lost.

Mr. Page then called the ayes and noes on amendment. The call was sustained and amendment lost. Ayes 41; Noes 58.

Ayes—Messrs. Anderson, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorne, Carson, Chamberlain, Collis, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Gatling, Goodwyn, Grayson, Hampton, Harris of Franklin, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—41.

Noes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Gregory, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson,

Smith of Wayne, Sparrow, Stanford, Tomlinson, Waring, Welch, Wilcox, Womack, Woodhouse, Young of Yancey and York—58.

Mr. Ellison called ayes and noes again on motion to refer, the call was sustained, and motion lost. Ayes 38; Noes 59.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorne, Carson, Chamberlain, Collis, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwyn, Harris of Franklin, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Williamson and Young of Wake—38.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bryson, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill' Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Robinson, Scott, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Woodhouse and York—59.

Mr. Page moved to amend by referring the ratification of act to voters of the town. Amendment not adopted.

Mr. Smith called the previous question (on 2nd reading.) Mr. Mabson called the ayes and noes. The call was sustained and bill passed. Ayes 64; Noes 35.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater Atkinkinson, Broadfoot, Bryson, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell,

McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Tomlinson, Waring, Welch, Wilcox, Woodhouse, Young of Yancey and York—64.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorne, Collis, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Harris of Franklin, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Young of Wake—35.

On motion of Mr. Sparrow, the rules were suspended and S. B. No. 1, "to appoint Commissioners to take depositions in certain cases" was taken up and passed several readings and ordered to be enrolled.

Resolution from committee on Elections in favor of William D. Newsome was taken up, adopted and the representative qualified and took his seat.

On motion of Mr. Jones, of Caldwell, the rules were suspended and H. B. No. 54, (creating school fund) was taken up, adopted and ordered to be engrossed.

H. B. No. 6. To restore burnt records in the several counties was taken up and passed 2nd reading, and under suspension of the rules, its 3rd reading, and ordered to be engrossed.

By order of Mr. Speaker, the following committees were announced:

Joint Committee on Printing—House Branch.—Messrs. Waring, Jordan, Kelly of Davie, Broadfoot and Nisson.

Committee on Counties, Cities, Towns and Townships—Messrs. McCauley, Martin, Kelsey, Gambrel, Smith of Halifax, Robbins, Nisson, York, Anderson, Bryan and Johns.

Joint Committee on Enrolled Bills—House Branch.—Messrs. Robinson, Kelly of Davie, Ashe, Curry and Sykes.

On motion of Mr. Wilcox, the House adjourned.

TUESDAY, December 6th, 1870.

House met at 10 a. m., Mr. Speaker Jarvis in the chair.
Opened with prayer by Rev. Mr. Dunham.

REPORTS OF COMMITTEES.

Mr. Sparrow, from Judiciary Committee, substitute for H. B. No. 20, regarding general amnesty. On calendar.

Mr. McNeill, from committee on Propositions and Grievances, favorably on H. R. 49 in favor of A. S. Hill; H. R. No. 29, regarding stationery; H. B. No. 32, regarding taking of fish in N. E. branch of Cape Fear, and H. B. No. 61, in favor of Jno. Patton, late sheriff of Clay.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. No. 6 and H. R. No. 34 as correctly engrossed.

RESOLUTIONS INTRODUCED.

H. R. No. 63. By Mr. York, requesting information from heads of departments. Calendar.

H. R. No. 64. By Mr. Jordan, inquiry regarding improper expenditures of public moneys. Calendar.

H. R. No. 65. By Mr. Marler, to raise joint committee of (12) twelve on constitutional amendments, (designated certain amendments.) Calendar.

H. R. No. 66. By Mr. Houston, requiring clerk to have Treasurer's report printed. Calendar.

H. R. No. 67. By Mr. Wilcox, a resolution in regard to distribution of proceeds of public lands. Referred to finance committee.

H. R. No. 68. By Mr. Carson, concerning homestead. Referred to judiciary committee.

H. R. No. 69. By Mr. Woodhouse, in favor of Thos. F. Baxter, sheriff of Currituck. Referred to committee on propositions and grievances.

BILLS INTRODUCED.

H. B. No. 97. By Mr. Justice, concerning mileage of members. On calendar.

H. B. No. 98. By Mr. Waring, in regard to elections. On calendar.

H. B. No. 99. By Mr. York, in favor of distillers of North Carolina, (taxing importations.) Referred to judiciary committee.

H. B. No. 100. By Mr. Settle, in favor of Jno. S. Johnson, sheriff of Rockingham. Committee on finance.

H. B. No. 101. By Mr. Tomlinson, to repeal an act on *per diem* and mileage. On calendar.

H. B. 102. By Mr. Lucas, to provide for appointment of commissioners of wrecks in Hyde county. Referred to finance committee.

H. B. 103. By same, to change time for settling public taxes. Referred to judiciary committee.

On motion of Mr. Justice, the rules were suspended and H. B. No. 97, on mileage of members was taken up.

Mr. Marler moved to strike out fifteen and insert ten.

Mr. Robinson called ayes and noes. Call was sustained and amendment prevailed. Ayes 94; Noes 7.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Carson, Clinard, Crawford, Currie, Darden, Dickey, Duckworth, Dunham, Ellison, Fisher, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gore, Gullick, Grayson, Hampton, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Lucky, Lyon, Mabson, Marler, Maxwell, McAfee, McNeill, Morris, Morgan of Montgomery, Mills, Mitchell, Newsome, Nicholson, Nisson, Parrott, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robin-

son, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Sykes, Tucker, Tomlinson, Waring, Welch, Wilcox, Womack, Williamson, Young of Wake, Young of Yancey and York—94.

Noes—Messrs. Cawthorne, Collis, Dudley, Faulkner, Jones of Northampton, Martin and Willis—7.

And bill, upon motion, was referred to committee on salaries and fees.

A message was sent informing the Senate of the passage of H. R. No. 34, concerning a school fund, and H. R. No. 55, to provide for support of Deaf, Dumb and Blind Institute, and asking concurrence therein. Calendar.

H. B. No. 7, was taken up and report of committee "that it do not pass," concurred in.

H. B. No. 10 was taken up, and favorable report of committee concurred in. (Repeals sec. 5 chap. 82 of laws of 1856–'7.) Mr. McAfee offered a proviso which was not accepted, when Mr. Justice called the previous question and bill passed 2nd reading.

H. B. No. 12. In favor of sheriff of Yadkin was taken up, when, on motion of Mr. Grayson, the name of William Haymore was added and bill passed 2d reading.

Mr. Strudwick, by consent, reported from committee on Finance, a substitute for H. B. No. 20, for relief of Jno. Horton, sheriff of Watauga.

H. B. No. 30. "To restore chartered privileges to Western N. C. R. Road," passed 2nd reading, and on motion of Mr. Broadfoot, the rules were suspended and bill passed 3rd reading and ordered to be engrossed.

On motion of Mr. Shull, the rules were suspended and H. B. No. 20, "for relief of John Horton, sheriff of Watauga," was taken up, substitute reported from Finance Committee adopted and passed 2nd reading. And on further suspension, 3rd reading and ordered to be engrossed.

Mr. Tomlinson moved to suspend the rules and take up bills on *per diem* and mileage. Motion did not prevail.

Mr. Robinson, from committee on Enrolled Bills, reported resolution of instruction to members of Congress, in relation to revenue tax on real estate.

Bill appointing a commissioner to take depositions in relation to senatorial election in Granville and Person counties, and resolution requiring Treasurer to furnish statistics as to military expenditures, as correctly enrolled; and they were ratified.

H. B. No. 32. "To repeal an act in relation to taking fish in N. E. branch of Cape Fear river." Passed 2nd reading.

H. B. No. 38. "To repeal sec. 7 chap. 167, of laws of 1868–'9. Passed 2nd reading.

H. B. No. 44. In favor of personal representative of late sheriff of Person, was taken up and passed 2nd reading and, under suspension of rules, 3rd reading and ordered to be engrossed.

Mr. York moved to suspend the rules in order to take up S. R. No. 44. No quorum voting.

Mr. York renewed his motion and the rules were suspended. (Resolution appoints a committee on constitutional reform.)

Mr. Dudley moved to make resolution special order for Wednesday week.

Mr. Johnson, of Edgecombe, that it be indefinitely postponed.

Mr. Justice moved to adjourn; motion did not prevail. When he called the ayes and noes on motion to indefinitely postpone. The call was sustained and motion lost. Ayes 35; Noes 59.

Ayes.—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Cawthorne, Collis, Darden, Dudley, Ellison, Faulkner, Fletcher, Garrison, Goodwyn, Hampton, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Marler, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Tucker, Willis and Williamson—35.

Noes.—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryson, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Duckworth, Dunham, Furr,

Gambrel, Gore, Gullick, Grayson, Gregory, Honston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Martin, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson- Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Waring, Wilcox, Womack, Young of Yancey, and York—59.

Mr. York then called the previous question, on which Mr. Justice called the ayes and noes. The call was sustained and the previous question was ordered. Ayes 55; noes 40.

Ayes.—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Brown, Bryson, Clinard, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lucas, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Waring, Wilcox, Womack, Young of Yancey, and York—55.

Noes.—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorne, Carson, Collis, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Hampton, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lassiter, Lyon, Mabson, Marler, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Tucker, Tomlinson, Willis and Williamson—40.

The question recurring on motion to make special order, Mr. Justice called ayes and noes. The call was sustained and motion lost. Ayes 37; Noes 55.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bunn, Buxton, Cawthorne, Carson, Collis, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Hampton, Harris of

Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Marler, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robins, Smith of Halifax, Tucker, Willis and Williamson—37.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Clinard, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Martin, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Reagan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Waring, Wilcox, Womack, Young of Yancey, and York—55.

Mr. Page moved to amend by striking out the word "constitution," and called the ayes and noes. Call was sustained and amendment lost. Ayes 25, noes 61.

Ayes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorne, Dudley, Ellison, Faulkner, Fletcher, Goodwyn, Harris of Franklin, Hargrove, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker and Williamson—25.

Noes—Messrs. Anderson, Armstrong, Ashe, Broadfoot, Bryson, Buxton, Carson, Chamberlain, Collis, Crawford, Currie, Dickey, Duckworth, Dunham, Fisher, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Hardy, Henderson, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Martin, Maxwell, McAfee, McCauley, McNeill, Mills, Nicholson, Parrott, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Tomlinson, Waring, Womack, Young of Yancey and York—61.

Mr. Page then moved to amend by striking out the word

"committee," and called the ayes and noes. The call was not sustained, and the amendment did not prevail.

Resolution then passed.

Leaves of absence were granted as follows: Mr. McCauley till Monday night, Mr. Parrott till Tuesday and Mr. Bryan, of Jones, for one week.

By order of the Speaker the following committees were announced.

Committee on Library.—Messrs. Hill, Hargrove, Joyner, of Johnson, Lucas and Fisher.

Committee on Salaries and Fees.—Messrs. Rankin, Smith of Wayne, Mills, Harris of Franklin, Dudley, Reavis, Collis, Maxwell, Stewart, Womack, Nicholson and Atkinson.

Joint Committee on Public Buildings and Grounds—House Branch.—Messrs. Gatling, Shull, Atwater, Bryson and Bryant.

Joint Committee on Insane Asylum—House Branch.—Messrs. Luckey, Henderson, Young, of Wake, Wilcox and Houston.

Joint Committee on Penal Institution—House Branch.—Messrs. Smith of Anson, Reid, Fletcher, Lassiter and Gore.

On motion the House adjourned.

WEDNESDAY, DECEMBER 7th, 1870.

The House met at 10 a. m., Mr. Speaker Jarvis in the chair. Prayer by Rev. Dr. Mason.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from committee on Corporations, favorably on H. B. No. 73, concerning the town of Lumberton.

Mr. McNeill from committee on Propositions and Grievances reported, recommending the passage of H. R. No. 17, in favor of Jones, sheriff of Alleghany; H. R. No. 24, in favor of W.

H. Higdon; H. R. No. 14, in favor of S. A. Kelly, sheriff of Davie with amendments, and H. R. No. 36, in favor of sheriffs of Wilkes and Northampton with amendments and proviso.

Mr. Sparrow, from Judiciary Committee, reported favorably on H. B. No. 48, to regulate voting by separate ballot, and on H. B. No. 45, relating to incorporation of town of Hickory Tavern, with amendments.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. No. 20 and 44, as correctly engrossed.

RESOLUTIONS INTRODUCED.

H. R. No. 70. By Mr. Hargrove, a resolution in favor of J. Moore, sheriff of Granville. Referred to committee on propositions and grievances.

H. R. No. 71. By Mr. Darden, a resolution concerning *per diem* and mileage. (By request on calendar.)

H. R. No. 72. By Mr. Dudley, regarding a recess. On calendar.

BILLS INTRODUCED.

H. B. No. 106. By Mr. Brooks, authorizing commissioners of Brunswick county to issue bonds. Referred to judiciary committee.

H. B. No. 107. By Mr. Waring, for relief of R. M. White, sheriff of Mecklenburg. Referred to committee on propositions and grievances.

H. B. No. 105. By Mr. Houston, to amend sec. 8, chap. 167 of laws of 1868–'9, relating to punishment. Referred to judiciary committee.

H. B. No. 114. By Mr. Sykes, in favor of Geo. H. Mitchell. Referred to committee on claims.

CALENDAR.

On motion of Mr. Strudwick, the rules were suspended and

H. R. No. 59, concerning seat of member from Bladen was taken up.

Mr. Fisher moved to refer to Judiciary Committee, (withdrawn.) Mr. Harris, of Franklin renewed motion to refer, which did not prevail, and resolution passed.

H. B. No. 18. On third reading, was taken up and passed and ordered to be engrossed. (Bill allows enterers of vacant lands further time to perfect entries.)

S. B. No. 2. On third reading, "regarding incorporation of the town of Washington," was taken up, and Mr. Sparrow called the previous question on its passage. Mr. Ellison called the ayes and noes, the call was sustained and previous question called. Ayes 61; Noes 35.

Ayes.—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Carson, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, McNeill, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Woodhouse, Young of Yancey, and York—61.

Noes.—Messrs. Brooks, Bryant of Halifax, Bunn, Buxton, Cawthorne, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Sykes, Tucker, Willis, Williamson and Young of Wake.—35.

Mr. Sykes called the ayes and noes on the passage of the bill. The call was sustained and the bill passed. Ayes 62, noes 35, and was ordered to be enrolled.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Clinard, Crawford, Currie, Dickey, Dun-

ham, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McNeill, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Woodhouse, Young of Yancey and York—63.

Noes—Messrs. Brooks, Bryant of Halifax, Bunn, Buxton, Cawthorne, Carson, Collis, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jone sof Northampton, Justice, Lyon, Mabson, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—35.

The following protest was offered and allowed :

House of Representatives, December 7th, 1870.

We, the undersigned, members of the House of Representatives from our respective counties, do hereby dissent from and protest against the passage of an act this day passed by the House of Representatives, entitled "A bill to amend the charter of the town of Washington," because it is in our opinion, in some of its provisions, a violation of the Constitution and injurious to the people concerned.

(Signed) T. L. Hargrove, E. B. Lyon, W. H. Reavis, Granville; R. M. Johnson, Willis Bunn, Edgecombe; E. J. Copeland, Wayne; Geo. B. Willis, Edward R. Dudley, J. R. Page, Richard Tucker, Craven; W. W. Morgan, Stewart Ellison, Wake; B. S. Hardy, Greene; Jas. M. Justice, Rutherford; Geo. L. Mabson, New Hanover.

On motion of Mr. Buxton, the rules were suspended and S. R, No. 31, in favor of sheriffs of Wilkes and Northampton

was taken up, the report of committee concurred in and resolution was adopted and ordered to be enrolled.

Leave of absence until Monday was granted Mr. Dunham.

On motion of Mr. Justice, the rules were suspended and H. B. No. 10, to repeal sec. 5, chap. 82 of acts of 1856 and 1857, passed 3rd reading and ordered to be engrossed.

A message was received informing the House that the Senate had passed S. R. No. 80, to appoint committee on State's interest in Cape Fear Navigation Co. Placed on calendar.

S. R. No. 63 "in relation to Homestead and personal property exemption," referred to judiciary committee and S. R. No. 62, in relation to printing rules of the two houses. On calendar.

A message was received from the Senate transmitting S. B. No. 19, to provide for removal of suit from one judicial district to another. Referred to judiciary committee.

S. B. No. 17, to repeal parts of certain ordinances passed March 13th, 1868. Referred to same committee.

S. B. No. 13, for relief of James Cashwell, collector of Bladen county. Referred to committee on finance.

S. B. No. 39, to suspend code of civil procedure in certain cases. Referred to judiciary committee.

S. B. No. 85, in favor of T. F. Baxton, sheriff of Currituck. Referred to committee on finance.

S. B. No. 92, to allow town commissioners to hold real estate for certain purposes. Referred to committee on corporations.

S. R. No. 102, to raise joint select committee on *per diem* and mileage. On calendar.

S. R. No. 103, to raise joint select committee on public roads and bridges. On calendar. And asking concurrence in the same.

Mr. Settle, by consent, introduced a bill (H. B. No. 104,) 'to supply a temporary deficiency in the treasury," which,

under suspension of the rules, passed its several readings and ordered to be engrossed.

H. B. No. 61 was taken up, and under suspension of rules, passed 2nd and 3rd readings and ordered to be engrossed. (Bill in favor of Jno. Patton, sheriff of Clay.)

H. B. No. 71, to amend an act entitled an act in relation to Western Turnpike Co., and under suspension of the rules passed several readings and ordered to be engrossed.

A message was received from the Senate informing the House that Messrs. Norment, Beasley and Dargan were designated as Senate branch of joint committee on *per diem* and mileage, and that Messrs. Murphy, Crowel, and Bellamy were designated as Senate branch of joint committee on public roads, bridges, &c.

Mr. Crawford, from committee reported by consent, H. B. No. 30 as correctly engrossed.

By order of the Speaker, the following committees were announced:

Committee on Agriculture, Mechanics and Mining.—Messrs. Chamberlain, Powell, Kelly of Moore, Parrott, Copeland, Faulkner, Carson, Brown, Hampton, Woodhouse and Clinard.

Joint Committee on Per Diem and Mileage—House Branch.—Messrs. Martin, Crawford, Lucas, Collis and Dudley.

Joint Committee on Constitutional Reform—House Branch.—Messrs. Johnston of Buncombe, Gregory, Phillips, Hargrove, Sparrow, Stanford and Luckey.

On motion of Mr. Houston, the rules were suspended, and H. R. No. 66, (regarding printing Treasurer's report,) was taken up.

Mr. McAfee moved to strike out 840 and insert 360. Mr. Mabson moved to lay the resolution on the table; motion did not prevail.

Mr. Robinson moved to amend motion to amend by inserting 120 in lieu of 360. Consideration of the resloution was suspended by consent for 10 minutes; when

Mr. McNeill, by permission, introduced a memorial from

B. F. Pearson, of Wayne county, contesting the seat of E. G. Copeland. Referred to committee on elections.

H. B. No. 76, to authorize commissioners of Lenoir to levy a special tax, was taken up and referred to committee on propositions and grievances.

On re-consideration of H. R. No. 66, Mr. Darden offered a substitute and referring the matter to Committee on Printing Mr. Robinson moved to amend substitute by limiting number printed to five.

Mr. McAfee moved to amend amendment by limiting to three; when Mr. Ellison moved to lay the matter on the table. Motion lost.

Mr. McAfee's amendment to amendment was then adopted, when Mr. Jones, of Caldwell, moved to make number printed amount to three; motion lost. Mr. Houston moved to amend by striking out the word "Senate." Motion lost.

The substitute as amended was then adopted; when Mr. Brown moved to adjourn Motion lost.

H. B. No. 87, requiring sheriffs to pay Education money to County Treasurer, was then taken up and referred to finance committee.

On motion of Mr. Rankin, the rules were suspended and

S. R. No. 102, regarding Joint Select Committee on *per diem* and mileage, was taken up and passed several readings and ordered to be enrolled.

Mr. Sykes moved to adjourn. Lost.

On motion of Mr. Sparrow, the rules were suspended and S. R. No. 45, in favor of tax collector of Pitt was taken up and passed its several readings and ordered to be enrolled.

On motion of Mr. Lyon, the House adjourned.

THURSDAY, December, 8th, 1870.

The House met at 10 a. m., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Grayson of the House.

REPORTS OF COMMITTEES.

Mr. Robinson, from committee on Enrolled Bills, reported resolution concerning the seat of representative from Bladen county, as correctly enrolled.

Mr. Powell, from committee on Engrossed Bills, reported H. B. No's 10, 61, 71 and 104, as correctly engrossed.

Mr. Settle, from committee on Claims, reported favorably on H. B. 77, for relief of sheriff of Chatham, and on H. B. No. 114, in favor of Geo. H. Mitchell.

Mr. Sparrow, from Judiciary Committee, reported as substitute for H. B. No. 5, (declaratory of meaning of an act repealing R. R. appropriations) in H. B. No. 151.

Mr. Rankin, from committee on Salaries and Fees, asking reference of bills on *per diem* and mileage to joint committee on *per diem* and mileage. Consented to.

Mr. Martin, from committee on Counties and Townships, reported, recommending that H. R. No. 82, in relation to townships do not pass, and on S. B. No. 27, to extend time for paying over taxes in Alamance and Caswell, that it do pass.

Mr. Settle presented a memorial from Jesse C. Griffith, sheriff of Alamance. Referred to committee on propositions and grievances.

RESOLUTIONS INTRODUCED.

H. R. No. 80. By Mr. Kelly of Moore, in favor of John M. Munger, sheriff of Moore. Referred to finance committee.

H. R. No. 81. By Mr. Tucker, asking speaker to make requisition for stationery. On calendar.

BILLS INTRODUCED.

H. B. No. 115. By Mr. Brooks, to legalize acts of Justices of Brunswick county. Referred to judiciary committee.

H. B. No. 116. By same, to fix compensation of treasurer of Brunswick. Referred to committee on salaries and fees.

H. B. No. 117. By Mr. Nicholson, in relation to duties of commissioners of Iredell. Referred to committee on propositions and grievances.

H. B. 118. By Mr. Settle, in favor of J. C. Griffith, sheriff of Caswell. Referred to committee on propositions and grievances.

H. B. No. 120. By Mr. Ashe, to repeal sec. 4 of chap 14, of private laws of 1870. Referred to committee on corporations.

H. B. No. 119. By same, to abolish special courts in Wilmington.

H. B. No. 121. By Mr. Buxton, to empower sheriff of Northampton to collect arrears of taxes. Referred to committee on propositions and grievances.

H. B. No. 122. By Mr. Lassiter, to prevent felling of timber in Caraway creek, in Randolph county. Referred to committee on propositions and grievances.

H. B. No. 124. By Mr. Collis, concerning county commissioners. Referred to committee on counties and towns, &c.

CALENDAR.

On motion of Mr. Smith, of Wayne, the rules were suspended and H. B. No. 86, concerning the town of Goldsboro', on 3d reading was taken up. Mr. Cawthorne moved to lay on the table, and called the ayes and noes. The call was sustained and motion lost. Ayes 33; Noes 71.

Ayes—Messrs. Bryant of Halifax, Bunn, Buxton, Cawthorne, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwyn, Harris of Franklin, Hargrove, Hardy,

Johnson of Edgecombe, Jones of Northampton, Justice, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—33.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Dickey, Duckworth, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Woodhouse, Young of Yancey and York—71.

Mr. Smith called the previous question. The call was sustained, and bill passed third reading. Ayes 67; Noes 38.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Chamberlain, Clinard, Crawford, Currie, Dickey, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Womack, Woodhouse, Young of Yancey and York—67

Noes—Messrs. Brooks, Bryant of Halifax, Bunn, Buxton, Cawthorne, Carson, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwyn, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Morris, Morgan

of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Smith of Hallifax, Sykes, Tucker, Willis, Williamson and Young of Wake—38.

On motion of Mr. Waring, the rules were suspended and H. B. No. 98, concerning elections, was taken up and referred to committee on elections.

On motion of Mr. Welch, the rules were suspended and H. B. No. 94, concerning a Convention of the people, was taken up, ordered to be printed and referred to joint committee on constitutional reform.

On motion of Mr. Justice, H. R. No. 65, raising joint committee to report amendments to Constitution, was ordered to be printed and referred.

H. B. No. 32. In relation to taking fish in Northeast branch of Cape Fear. Passed 3d reading, and ordered to be engrossed.

H. B. No. 37. To prescribe time for sheriffs to settle taxes passed and ordered to be engrossed.

H. B. No. 38. To repeal section 7, chapter 187 of laws of 1868–69. Passed third reading and ordered to be engrossed.

A message was sent informing the Senate that the House concurred in the passage of S. B. No. 2, relating to the town of Washington; S. B. No. 44, to raise a joint committee on constitutional reform, and that Messrs. Johnston, of Buncombe, Gregory, Phillips, Hargrove, Sparrow, Stanford and Luckey were appointed as House branch; and in S. R. No. 31, in favor of Sheriffs of Wilkes and Northampton, and asking concurrence in the passage of H. B. No. 10, to repeal section 5, chapter 82 of laws of 1856–7, and H. B. No. 61, in favor of John Patton, late Sheriff of Clay.

H. B. No. 14. Being special order, was then taken up, and amendments offered by Mr. Ashe adopted. Mr. Mabson moved amendments changing boundaries of wards, &c., which were lost.

Mr. French moved to postpone indefinitely, and called the ayes and noes.

The call was sustained and the motion lost. Ayes 38; Noes 67.

Ayes—Messrs. Brooks, Bryant of Halifax, Bunn, Buxton, Cawthorne, Carson, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwyn, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker, Willis, Williamson and Young of Wake.—38.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Chamberlain, Clinard, Crawford, Currie, Dickey, Furr, Gambrel, Gatling, Gore, Gulick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Womack, Woodhouse, Young of Yancey, and York—67.

Mr. Ashe called the previous question and the bill passed under call of the ayes and noes, its third reading. Ayes 68; Noes 37.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Carson, Chamberlain, Clinard, Crawford, Curry, Dickey, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Lucas, Luckey, Martin, Mabson, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stan-

ford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Woodhouse, Young of Yancey, and York—68.

Noes—Messrs. Brooks, Bryant of Halifax, Bunn, Buxton, Cawthorne, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwyn, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Morrison, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—37.

Mr. McAfee moved to reconsider the vote by which the bill passed its third reading, and to lay that motion on the table. Motion prevailed.

Mr. Dudley moved to adjourn. Motion lost.

A message was received from the Senate transmitting bills and asking concurrence.

S. B. No. 51. To repeal an act extending corporate limits of town of Rutherford. Referred to committee on corporations.

S. R. No. 34. In favor of J. W. Hayes, late sheriff of Wilkes. Referred to committee on propositions and grievances.

S. R. No. 109. In reference to public debt.

ON CALENDAR.

H. R. No. 19. To investigate conduct of certain public officers in regard to public funds, was taken up and passed.

H. R. No. 20. In regard to general amnesty was taken up. Mr. Mabson moved to lay on the table. Motion lost.

Mr. Page moved to amend excepting all who do not petition. Amendment did not prevail.

When Mr. Robinson called the ayes and noes on passage of the resolution. The call was sustained and resolution adopted. Ayes 90; Noes 14.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryson, Buxton, Cawthorne, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford,

Currie, Darden, Dickey, Duckworth, Ellison, Fletcher, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Lyon, Martin, Marler, Maxwell, McAfee, McNeill, Morris, Morgan of Montgomery, Mills, Mitchell, Newsome, Nicholson, Nisson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Woodhouse, Williamson, Young of Yancey and York—90.

Noes—Messrs. Bryant of Halifax, Bunn, Dudley, Faulkner, French, Goodwyn, Johnson of Edgecombe, Mabson, Morgan of Wake, Reavis, Robbins, Smith of Halifax, Tucker and Willis—14.

On motion of Mr. Harris, of Franklin, the House adjourned.

FRIDAY, December, 9th, 1870.

The House met at 10 a. m., Mr Speaker Jarvis in the chair, and opened with prayer by Rev. Mr. Warwick.

Mr. McNeill was allowed to record his vote in favor of general amnesty resolution, and Mr. Johnston, of Edgecombe to change his vote to no, on the same resolution.

Mr. Mabson, by consent, changed his vote on final reading of H. B. No. 14, to the negative.

Mr. Gambrel presented a memorial from citizens of Wilkes and Alleghany counties, regarding change of county line. Referred to committee on propositions and grievances.

Mr. Strudwick, a petition from commissioners of penal institution, for relief. Referred by request to committee on penal institution.

REPORTS OF COMMITTEES.

Mr. Jones, from committee on Claims, reported favorably on H. R. No's 52 and 53, in favor of W. R. Cox and Charles Manly.

Mr. Sparrow, from Judiciary Committee, reported favorably on S. B. No. 24, to repeal chap. 52 of laws of 1868–'69.

Mr. Strudwick, from committee on Finance, reported favorably on H. R. No. 67, in regard to public lands; on H. B. No. 102, to appoint commissioners of wrecks in Hyde county; on S. B. No. 33 in favor of Jas. Cashwell, collector of Bladen county.

On S. B. No. 85, for relief of Thos. F. Baxter, sheriff of Currituck; and S. R. No. 1, for relief of A. G. Murray, sheriff of Alamance.

On H. B. No. 100, for relief of John S. Johnson, sheriff of Rockingham with amendments, and unfavorably on H. B. No. 8, to fix compensation of treasurers of Henderson and Northampton.

RESOLUTIONS INTRODUCED.

H. R. No. 84, by Mr. McAfee, requiring printing of report of Superintendent of Public Schools.

H. R. No. 85. By Mr. Strudwick, a resolution to impeach W. W. Holden, Governor, "of high crimes and misdemeanors in office." Referred by request to judiciary committee.

H. R. No. 86. By Mr. Carson, a resolution in regard to a recess of General Assembly. On calendar.

H. R. No. 87. By Mr. Broadfoot, in regard to certain books. On calendar.

Mr. Crawford, from committee on Engrossed Bills, by consent, reported H. B. No. 20, regarding general amnesty, and H. B. No. 12, in favor of sheriff of Yadkin as correctly engrossed.

BILLS INTRODUCED.

H. B. No. 125. By Mr. Settle, a bill on *per diem* and mileage. Referred to committee on *per diem*.

H. B. No. 126. By Mr. Brown, in favor of sheriff of Davidson. Referred to committee on propositions and grievances.

H. B. No. 127. By Mr. Johnston, of Buncombe, for relief of Jesse Turner, late sheriff of Buncombe. Same reference.

H. B. No. 128. By Mr. McAfee, in favor of G. W. Webb, sheriff of Cleveland. Same reference.

H. B. No. 129. By Mr. Jordan, to authorize levy of special tax in Person county. Same reference.

H. B. No 130. By Mr. Bryson, declaring certain roads in Jackson county public roads. Referred to committee on internal improvements.

A message was sent asking concurrence of the Senate in passage of H. R. No. 20, and H. B. No. 12. Calendar.

On motion of Mr. Martin, the rules were suspended, and H. B. No. 89, for relief of Jno. D. Davis, sheriff of Carteret, was taken up and passed its several readings and ordered to be engrossed.

On motion of Mr. Broadfoot, the rules were suspended, and H. R. No. 87, regarding certain books, was taken up and passed.

On motion of Mr. Jordan, the rules were suspended, and H. R. No. 64, regarding alleged improper expenditures of public moneys was taken up and passed.

H. R. No. 26, in favor of sheriff of Stokes was taken up and adopted.

H. R. No. 28, to provide for completion of Western Division of Western North Carolina Railroad was taken up and adopted.

H. B. No. 8, to fix compensation of treasurers of Henderson and Northampton was taken up and failed to pass second reading.

S. B. 24, to repeal chapter 52, laws 1868 and 1869, passed second reading.

S. B. No. 33, in favor of Jas. Cashwell, tax collector of Bladen, passed second reading.

S. B. No. 85, for relief of Thos. F. Baxter, sheriff of Currituck, was taken up and passed second reading.

On motion of Mr. Ashe, the rules were suspended and substitute for H. B. No. 5, being H. B. No. 151, declaratory of the meaning of an act to repeal appropriations to railroad companies was taken up.

Mr. Phillips offered amendments and Mr. Welch a proviso, when, after discussion, Mr. Marler moved that further consideration of the matter be postponed till Monday next at 12 M., and that bill with amendments and proviso be printed. Motion prevailed.

A message was received from the Senate, transmitting and asking concurrence in the passage of H. B. No. 8, regulating manner of applying for pardons. Referred to judiciary committee.

S. B. No. 95, in favor of representatives of Jno. Turner, late sheriff of Orange, and L. H. Lorance, late sheriff of Lincoln. Referred to committee on propositions and grievances.

S. B. No. 18. In relation to Keeper of the Capitol. Referred to committee on public buildings.

S. B. No. 1. Public bill, to incorporate People's Building and Loan Association of Salem. Referred to committee on corporations.

S. R. No. 11. For removal of political disabilities of Z. B. Vance. Placed on calendar.

S. R. No. 12. For removal of political disabilities of A. M Waddell and S. H. Rogers. Placed on calendar.

S. R. No. 96. Asking representatives in Congress to amend bankrupt law. Referred to judiciary committee.

On motion, Mr. Chamberlain was relieved of duties on committee on agriculture, mechanics and mining.

On motion of Mr. Justice, the House adjourned.

SATURDAY, December 10th, 1870.

The House met at 10, A. M., Mr. Speaker Jarvis in the Chair, and opened with prayer by Rev. Dr. Atkinson.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from committee on Corporations, reported favorably on H. B. No. 120, to repeal sec. 4, chap. 14, of private laws of 1869–'70.

Mr. Robinson, from committee on Enrolled Bills, reported resolution in favor of sheriffs of Wilkes and Northampton, and S. R. in regard to soldiers of 1812, as correctly enrolled, and they were ratified.

Mr. Jordan, from committee on Penal Institution, reported on memorial of commissioners of institution a bill for temporary relief of the same. H. B. No. 136.

INTRODUCTION OF BILLS.

H. B. No. 139. By. Mr. Hill, to amend charter of bank of Statesville. Referred to committee on Corporations.

H. B. No. 137. By Mr. Joyner, of Johnston, to repeal sec. 16, chap. 137, of laws of 1868–'9. Referred to judiciary committee.

CALENDAR.

On motion of Mr. Justice, the rules were suspended and the House resolution No. 54, regarding recess, was taken up.

Mr. French moved to amend by inserting without *per diem* and mileage.

Mr. Johnston, of Buncombe, to strike out 19th and inserting 23d, and strike out 19th of January and insert 26th of December.

On motion of Mr. Carson, the matter was laid on the table.

On motion of Mr. Carson, H. R. No. 86 on same subject, was taken up, and Mr. Carson called previous question.

Mr. Welch called ayes and noes on the adoption of the resolution. Call was sustained and resolution passed second reading. Ayes 81; Noes 24.

Ayes—Messrs. Armstrong, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryant of Halifax, Bunn, Buxton, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gullick, Gregory, Harris of Guilford, Hargrove, Hardy, Henderson, Hill, Johnson of Edgecombe, Jones of Northampton, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kincade, Lucky, Lyon, Martin, Mabson, Marler, Maxwell, McAfee, McNeil, Morris, Morgan of Montgomery, Morgan of Wake, Mitchell, Newsome, Nicholson, Nisson, Page, Phillips, Powell, Reavis, Reid, Regan, Robbins, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Sparrow, Stanford, Stewart, Strudwick, Sykes, Tucker, Waring, Willis, Woodhouse and York—81.

Noes—Messrs. Ashe, Bryson, Dickey, Gore, Grayson, Hampton, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Kelsey, Lassiter, Lucas, McCauley, Mills, Robinson, Smith of Wayne, Tomlinson, Welch, Womack and Young of Yancey—24.

Mr. Sparrow, from Judiciary Committee, reported favorably on H. B. No. 48, to regulate voting on separate ballot, and amendments to H. B. No. 165 to amend sec. 8, of an act in relation to punishment, chap 167, laws 1868-'69; on S. B. No. 17, to repeal parts of ordinances passed March 13, 1868, and S. R. 63, in relation to homestead and property exemptions.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. Nos. 32, 37, 14, 38, 86, and H. R. No. 19, as correctly engrossed.

On motion of Mr. Justice, the rules were suspended and the

H. R. No. 86 passed third reading, and ordered to be engrossed.

Mr. McNeill, from committee on Propositions and Grievances, reported unfavorably on H. B. No. 25, to pay expenses of lunatics and idiots in Clay county; favorably on H. R. No. 36, and a substitute for various resolutions for relief of sheriffs; on H. R. No. 17, recommitted; H. R. No. 49, recommitted.

H. R. No. 14. In favor of J. A. Kelly, sheriff, on third reading, was taken up, report of the committee was concurred in, and after being variously amended, was recommitted to committee on Propositions and Grievances.

H. B. 138. Mr. Marler (by consent) introduced a bill to relieve administrators and executors of guilt of *devastavit*. Referred to committee on judiciary.

H. B. 142. Mr. Grayson, a bill in relation to sale of lands by commissioners of McDowell county. Referred to committee on propositions and grievances.

H. R. 24. In favor of W. H. Higden was taken up, passed third reading and ordered to be engrossed.

H. R. No. 29. In relation to stationery, passed third reading.

Mr. Ashe, by permission, introduced a bill providing for taking depositions.

H. B. No. 141. Referred to committee on judiciary.

H. R. No. 30. In regard to Governor's message. Referred to judiciary committee.

H. R. No. 31. Regarding report from Finance Committee. Referred to finance committee.

H. R. No. 91. By Mr. Justice, requesting a report from committee on printing, adopted under the suspension of the rules.

H. R. No. 35. Regarding private bill day, taken up and passed.

H. R. No. 46. Concerning internal revenue, passed second reading.

H. R. No. 47. Instructing Judiciary to report bill for relief of sheriffs. Laid on the table.

H. R. No. 49. In favor of A. S. Hill. Recommitted.

On motion of Mr. Waring, the rules were suspended, and S. R. No. 11, for relief of disabilities of Z. B. Vance was taken up; Mr. Cawthorne called ayes and noes, on its adoption, the call was sustained and resolution adopted. Ayes 71; Noes 24.

Ayes—Messrs. Anderson, Armstrong, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryson, Buxton, Chamberlain, Clinard, Crawford, Currie, Dickey, Duckworth, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Hardy, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeil, Mills, Mitchell, Nicholson, Phillips, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack, Woodhouse, Young of Yancey and York—71.

Noes—Messrs. Bryant of Halifax, Bunn, Dudley, Ellison, Faulkner, Fletcher, Goodwyn, Harris of Franklin, Hargrove, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker and Willis—24.

H. B. No. 140. Mr. Martin, from committee on *per diem* and mileage by permission, reported a bill (giving President of Senate and Speaker of the House seven dollars *per diem*; Principal and Assistant Clerks, six dollars; members of the Senate and House five dollars; other Clerks and Doorkeepers five dollars; mileage 20c.) and moved to suspend the rules in order to put the bill on its passage. Motion sustained.

Mr. Johnston, of Buncombe, moved to amend by substituting six dollars for seven, four for five and 10c. for 20.

Mr. Phillips moved a division of the question. Lost.

Mr. Collins offered a substitute, allowing members to fix their own *per diem*, limiting to six dollars.

Mr. Nicholson stated he was in favor of four dollars *per diem* and 10c. mileage, and called the ayes and noes on substitute; the call was sustained and substitute lost. Ayes 6; Noes 93.

Ayes—Messrs. Broadfoot, Chamberlain, Collis, Copeland, Johnson of Edgecombe and Lucas—6.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Brown, Bryant of Halifax, Bryson, Bunn, Buxton, Carson, Clinard, Crawford, Currie, Darden, Dickey, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Houston, Hill, Johnston of Buncombe, Johns, Jones of Northampton, Jones of Caldwell, Joyner of Johnston, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Lyon, Martin, Mabson, Marler, Maxwell, McAtee, McCauley, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Newsome, Nicholson, Nisson, Phillips, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Sykes, Tomlinson, Waring, Welch, Willis, Wilcox, Womack, Woodhouse, Young of Wake and York—92.

Mr. McAfee, offered a substitute fixing per diem at —

Mr. Thompson moved to amend Mr. Johnson's amendment by substituting five for six dollars and three for four.

When Mr. Martin called the previous question. The call was sustained and Mr. McAfee's substitute lost.

Mr. Robinson called the ayes and noes on amendment to amendment. The call was not sustained and the amendment lost.

mr. Johnson called the ayes and noes on his amendment. The call was not sustained and amendment lost.

The question recurring on the second reading of the bill Mr.

Robinson called the ayes and noes. The call was sustained and the bill passed. Ayes 59; Noes 42.

Ayes—Messrs. Armstrong, Ashe, Atkinson, Brooks, Broadfoot, Bryant of Halifax, Bunn, Buxton, Chamberlain, Collis, Copeland, Currie, Darden, Dudley. Ellison, Faulkner, Fletcher, Garrison, Gatling, Goodwyn, Gullick, Gregory, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Henderson, Johnson of Edgecombe, Jones of Northampton, Justice, Kelly of Davie, Lucas, Lyon, Martin, Mabson, McNeill, Morgan of Montgomery, Morgan of Wake, Mills, Newsome, Page, Phillips Reavis, Reid, Regan, Robbins, Scott, Smith of Anson, Smith of Halifax, Sparrow, Stanford, Stewart, Sykes, Tucker, Waring, Willis, Wilcox, Woodhouse, and Young of Yancey—59.

Noes.—Messrs. Anderson, Atwater, Brown, Bryson, Carson, Clinard, Crawford, Dickey, Duckworth, Furr, Gambrel, Gore, Grayson, Hampton, Houston, Hill, Johnston of Buncombe, Johns, Joyner of Johnston, Jordan, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Marler, Maxwell, McAfee, McCauley, Morris, Mitchell, Nicholson, Powell, Robinson, Settle, Shull, Smith of Wayne, Strudwick, Tomlinson, Welch, Womack, and York—42.

On motion of Mr. Martin, the rules were further suspended and Mr. Robinson called the ayes and noes on 3rd reading; the call was sustained and the bill passed. Ayes 57; Noes 41.

Ayes.—Messrs. Armstrong, Ashe, Atkinson, Brooks, Broadfoot, Bryant of Halifax, Bunn, Buxton, Chamberlain, Collis, Copeland, Currie, Darden, Dudley, Ellison, Faulkner, Fletcher, Garrison, Gatling, Goodwyn, Gullick, Gregory, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Henderson, Johnson of Edgecombe, Jones of Northampton, Justice, Lucas, Lyon, Martin, Mabson, McNeill, Morgan of Montgomery, Morgan of Wake, Newsome, Page, Phillips, Reavis, Reid, Regan, Robbins, Scott, Smith of Anson, Smith of Halifax, Sparrow, Stanford, Stewart, Sykes, Tucker, Waring, Willis, Wilcox, Williamson and Young of Yancey—57.

Noes.—Messrs. Anderson, Atwater, Brown, Bryson, Carson, Clinard, Crawford, Dickey, Duckworth, Furr, Gore, Grayson, Hampton, Houston, Hill, Johnston of Buncombe, Johns, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Marler, Maxwell, McAfee, McCauley, Morris, Mitchell, Nicholson, Nisson, Rankin, Robinson, Settle, Strudwick, Tomlinson, Welch, Womack and York—41.

Mr. Gregory moved to reconsider the vote by which the bill passed its third reading and to lay that motion on the table. Motion prevailed.

On motion of Mr. Strudwick, the rules were suspended and the S. R. No. 62 was adopted (on printing rules.)

On motion, the house adjourned.

MONDAY, December 12th, 1870.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair, and opened with prayer by Rev. Mr. Grayson, of the House.

Mr. Powell, by permission, recorded his vote against H. B. No. 140, on *per diem*.

Mr. Henderson presented a memorial from Grand Jurors of Cabarrus. Referred to judiciary committee.

Mr. Justice, a petition from commissioners of Rutherford for power to levy a special tax. Referred to committee on counties, cities and townships.

REPORTS OF COMMITTEES.

Mr. Sparrow, from Judiciary Committee, favorably on H. B. No. 106, authorizing comissioners of Brunswick to issue bonds.

Mr. Waring, from committee on Printing, reported contract with J. H. Moore, of *Sentinel* office, to do the public printing.

INTRODUCTION OF RESOLUTIONS.

H. R. No. 93. By Mr. Shull, a resolution in favor of night session. On calendar.

H. R. No. 94. By Mr. Jones, of Caldwell, concerning the University. Referred to committee on education.

H. R. No. 95. By Mr. Morris, in regard to system of public instruction. Referred to same committee.

H. R. No. 96. By Mr. Martin, concerning Marine Hospital at Beaufort. On calendar.

H. R. No. 97. By Mr. Hill, concerning the Council of State. On calendar.

H. R. 98. By Mr. Strudwick, regarding contingent items in report of Public Treasurer. On calendar.

BILLS INTRODUCED.

H. B. No. 144. By Mr. Collis, a bill in relation to townships in Mitchell. Referred to committees on counties and towns.

H. B. No. 145. By Mr. Sparrow, for better government of the town of Newbern and of Newbern Academy, with a memorial from citizens. Referred to committee on counties and towns.

H. B. No. 146. By Mr. McAfee, in relation to Salaries and Fees. Referred to committee on salaries and fees.

Mr. Crawford, by consent, reported from committee on Engrossed Bills, House Bills No. 23, No. 89 and No. 104, and House Resolutions No. 26, No. 86 and No. 24 as correctly engrossed.

H. B. No. 147. By Mr. Martin, a bill to appoint Inspector and Weigher for port of Newbern. Referred to committee on propositions and grievances.

H. B. No. 148. By Mr. Woodhouse, in relation to killing wild fowl in Currituck. Referred to committee on propositions and grievances.

H. B. No. 149. By Mr. York, asking appropriation for bridge over Yadkin river in Wilkes. Referred to committee on propositions and grievances.

Mr. Waring, by consent, presented a resolution (H. R. No. 99) on public printing which, under suspension of rules, passed several readings and ordered to be engrossed.

A message was received from the Senate, informing House of the passage of S. R. No. 125, for relief of John M. Munger, sheriff of Moore, and S. B. No. 123, to extend time for collecting and paying over taxes in Martin. Bill and resolution referred to committee on finance.

A message was received with opinion of Attorney General, regarding State's interest in W. C. & R. R. Road; which, on motion of Mr. Sparrow, was ordered to be printed.

The hour for consideration of special order having arrived, on motion of Mr. Robinson, it was postponed to Tuesday at 11 o'clock, A. M.

Mr. Sparrow moved to re-consider H. R. No. 86, regarding recess. Withdrawn.

On motion of Mr. McAfee, the rules were suspended, and

S. B. No. 51, to repeal act extending corporate limits of Rutherfordton, was taken up.

Mr. Jordan moved a proviso, that the act shall not take effect unless ratified by a majority of voters of the said town, and called the ayes and noes. The call was sustained, and the proviso was not adopted. Ayes 43; Noes 47.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bryson, Bunn, Buxton, Carson, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Gatling, Goodwyn, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Marler, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Phillips, Robbins, Smith of Halifax, Sykes, Tucker, Tomlinson, Willis and Young of Wake—43.

Noes—Messrs. Armstrong, Ashe, Atkinson, Broadfoot,

Currie, Dickey, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Lucas, Maxwell, McAfee, McCauley, McNeill, Mills, Nicholson, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Waring, Wilcox, Woodhouse, Young of Yancey and York—47.

Mr. Justice then moved to amend by referring the ratification of act to voters within the old corporate limits, called the ayes and noes. The call was sustained and the amendment adopted —ayes 48, noes 41.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bryson, Bunn, Buxton, Collis, Copeland, Crawford, Darden, Dickey, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwyn, Gullick, Grayson, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lassiter, Lyon, Mabson, Marler, Morris Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Phillips, Reid, Robbins, Smith of Halifax, Sykes, Tucker, Welch, Young of Wake, and York—48.

Noes—Messrs. Armstrong, Ashe, Atkinson, Broadfoot, Currie, Furr, Gambrel, Gregory, Hampton, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kelsey, Lucas, Maxwell, McAfee, McCauley, McNeill, Mitchell, Nicholson, Regan, Robinson, Scott, Settle, Smith of Wayne, Sparrow, Stanford, Stewart, Tomlinson, Waring, Welch and Woodhouse—41.

And bill passed second reading.

A message was sent informing the Senate of the passage of H. R. No. 19, to investigate conduct of certain public officers in regard to public funds; H. R. No. 86, to amend charter of town of Goldsboro'; H. B. No. 28, to authorize sheriff of Union to collect arrears of taxes; H. B. No. 32, in relation to taking fish in N. E. B. of Cape Fear; H. B. No. 37,

to prescribe time for sheriffs to settle taxes; H. B. No. 38, to repeal section 7, chapter 167 of laws of 1868–'69, asking concurrence. Also, a message transmitting H. B. No. 140 on *per diem* and mileage; H. B. No. 24, in favor of W. H. Higden, late sheriff of Macon, and H. B. No. 23, in relation to sale of town lots in Sparta. Also, a message transmitting H. R. No. 26, in favor of sheriff of Stokes; H. R. No. 86, in regard to adjournment for recess.

H. B. No. 87. Requiring sheriffs to pay education money to county treasurers. And asking concurrence in the same.

Mr. Robinson, from committee on Enrolled Bills reported bill for relief of Jno. D. Davis, sheriff of Carteret, and resolution to print rules of Senate and House of Representatives as correctly enrolled, and they were ratified.

On motion of Mr. Robinson, the rules were suspended and S. B. No. 18, in relation to Keeper of the Capitol, was taken up.

Mr. Mabson called the ayes and noes on 2nd reading, the call was sustained and bill passed. Ayes 69; Noes 24.

Ayes.—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Carson, Clinard, Collis, Copeland, Crawford, Currie, Dickey, Duckworth, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Hardy, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tomlinson, Waring Welch, Wilcox, Woodhouse and York —69.

Noes.—Messrs. Bryant of Halifax, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Goodwyn, Harris of Franklin, Hargrove, Johnston of Edgecombe, Jones of Northampton, Lyon, Mabson, Morgan of Wake, Newsome, Nisson, Page,

Phillips, Robbins, Smith of Halifax, Tucker, Willis, and Young of Wake—24.

And on motion, the rules were further suspended and bill passed 3rd reading and ordered to be enrolled.

On motion of Mr. Robinson, the vote by which bill passed 3rd reading was reconsidered and the motion laid on the table.

Mr. Nicholson, by consent, from committee on Privileges and Elections, reported, recommending the passage of a bill (H. B. 150,) to appoint a commissioner to take depositions in contested election case from Wayne.

On motion of same, the rules were suspended and bill passed 2nd reading, when Mr. Harris, of Franklin moved to amend by striking out "one" and inserting "two" (as number of commissioners.) Amendment was adopted and the bill passed 3rd reading and ordered to be engrossed.

On motion of Mr. Darden, the House adjourned.

TUESDAY DECEMBER 13th, 1870.

House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Opened with prayer by Rev. Mr. Collis of the House.

MEMORIALS.

Mr. Dudley presented a memorial from citizens of Newbern concerning corporation of the city. Referred to committee on counties, &c.

By Mr. French: A memorial from citizens of Lumberton, against amendment of corporation of town. Referred to committee on counties and towns.

By Mr. Dudley: A memorial from citizens of Craven, relating to taking fish in Neuse river and Contentnea Creek. Referred to committee on propositions and grievances.

REPORTS OF COMMITTEES.

Mr. Broadfoot from committee on Corporations reported favorably on

H. B. No. 74, to amend charter of Hook and Ladder company of Wilmington;

On H. B. No. 139, to amend charter of Bank of Statesville, and,

On S. P. Bill No. 1, to incorporate People's Building and Loan Association of Salem.

Mr. McNeill, from committee on Propositions and Grievances, reported favorably on

H. B. No. 88, for relief of J. W. C. Piercy, tax collector of Cherokee;

On H. B. No. 129, to authorize levy of special tax in Person county.

On H. B. No. 142, to allow commissioners of McDowell to sell certain lands.

On H. B. No. 118, in favor of J. C. Griffith, sheriff of Caswell.

On S. B. No. 95, in favor of legal representatives of John Turner, sheriff of Orange, and Logan H. Lorance, sheriff of Lincoln.

On S. R. No. 43, in regard to Pages.

On S. R. No. 48, in regard to special tax on tobacco and liquors.

On H. R. No. 60, in favor of R. McMillan, sheriff of Robeson, with amendments,

And adversely on H. B. No. 42, authorizing commissioners of Henderson to sell poor house lands, and

On H. B. No. 149, for construction of bridge across Yadkin river in Wilkes.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. No. 150, H. R. No. 28, and No. 99, and S. B. No. 18, as correctly engrossed.

Mr. McCauley, from committee on Counties, Cities and Townships, reported favorably on

H. B. No. 64, to change boundaries of Burke and McDowell counties; and

On H. B. No. 68, to enlarge powers of county commissioners.

INTRODUCTION OF RESOLUTIONS.

H. R. No. 100. By Mr. York, in favor of night sessions. On Calendar.

H. R. No. 101. By Mr. Johns, a resolution regarding immigration. [Appoints a committee of five to investigate and report.] On calendar.

H. R. No. 102. By Mr. Gore, in favor of V. V. Richardson, sheriff of Columbus. Referred to committee on propositions and grievances.

H. R. No. 103. By Mr. Martin, in regard to stationery. On calendar.

INTRODUCTION OF BILLS.

H. B. No. 154. By Mr. Harris, of Guilford, to pay the State debt. Referred to finance committee.

H. B. No. 153. By Mr. Stanford, a bill to establish the county of Pamlico. Referred to committee on counties, cities and towns.

H. B. No. 154. By Mr. Johnston, of Buncombe, a bill to punish bribery and corruption. On calendar.

H. B. No. 155. By Mr. Jordan, to amend chapter 176 of of laws of 1868–'69 to punish bribery. Referred to judiciary committee.

Mr. Welch, by consent, reported from committee on Internal Improvements, a substitute for H. B. No. 36, on Spartanburg and Rutherford R. R. Company. On calendar.

H. B. No. 156. By Mr. Jordan, a bill for government of Insane Asylum. Referred to committee on judiciary.

Mr. Marler, by permission, a resolution requiring report of Board of Education of its action to date. On calendar.

CALENDAR.

On motion of Mr. Welch, the rules were suspended and S. B. No. 27, to extend time for paying over taxes in Alamance and Caswell was taken up and passed 2nd and 3rd readings and ordered to be enrolled.

The hour for consideration of special order, H. B. No. 151, substitute for H. B. No. 5, declaratory of the meaning of an act repealing appropriations to Railroad Companies, having arrived, Mr. Phillips called the ayes and noes on his amendment, the call was sustained and amendment lost. Ayes 33; Noes 66.

Ayes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fletcher, Garrison, Goodwyn, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Jones of Northampton, Lassiter, Lyon, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Parrott, Phillips, Robbins, Smith of Halifax, Tucker, Tomlinson, Willis and Young of Wake—33.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Chamberlain, Clinard, Crawford, Currie, Darden, Dickey, Duckworth, Dunham, French, Furr, Gambrel, Gatling, Gore, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kincade, Luckey, Martin, Mabson, Marler, McAfee, McCauley, McNeill, Mills, Newsome, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Waring, Welch, Wilcox, Womack, Woodhouse, Young of Yancey and York—66.

Mr. Welch gave notice of amendments, when Mr. Ashe called the previous question. Mr. Welch's amendments were accepted and bill passed 2nd reading.

Mr. Page called the ayes and noes on 3rd reading. The call was not sustained and the bill passed and ordered to be engrossed.

A message was sent to the Senate transmitting H. B. No. 150, appointing a commission to take deposition in contested election from Wayne; H. B. No. 28, to provide for completion of Western Division of Western North Carolina Railroad, and H. R. No. 99, in regard to printing, and S. B. No. 18 in relation to Keeper of the Capitol, as amended, and asking concurrence therein.

Mr. McAfee moved to reconsider the vote by which H. B. No. 151 passed 3d reading, and to lay that motion on the table. Motion prevailed.

A message was received from Clerk of Supreme Court, relating to employees in his office. Referred to committee on propositions and grievances.

Also a message from Superintendent of Public Works, on same subject. Read and referred to same committee.

Leave of absence till Monday was granted Mr. Goodwyn; Mr. French for one week; Mr. Kelley, of Moore, for five days; Mr. Woodhouse, for one week; Mr. Darden from Saturday till 22d; Mr. Young, of Yancey, from Friday till 22d.

A message was received from the Senate transmitting S. B. No. 16, in relation to municipal elections. Referred to committee on elections.

S. B. No. 119. Allowing commissioners of Chatham to levy special tax. On calendar; and,

S. R. No. 106. To establish three terms of Superior Court. Referred to judiciary committee.

On motion of Mr. Settle, the rules were suspended and H. B. No. 100, for relief of John S. Johnson, sheriff of Rockingham, was taken up. Report of committee concurred in and passed 2d and 3d readings and ordered to be engrossed.

On motion of Mr. McNeill, the rules were suspended and H. R. No. 60 was taken up. Substitute offered by committee was adopted and ordered to be engrossed.

By consent, Mr. Welch, from committee on Internal Improvements, reported, recommending the passage of H. B. 72, to amend the charter of Western Division of W. N. C. R. R.

Mr. Bryson moved to amend by adding another section and an order to print.

Both motions prevailed.

H. B. No. 77, for relief of sheriff of Chatham, passed 2d reading and, under suspension of rules, 3d reading, and ordered to be engrossed.

On motion of Mr. Anderson, the rules were suspended and H. B. No. 88, for relief of J. W. Pearcy, tax collector of Cherokee, was taken up and passed 2d and 3d readings and ordered to be engrossed.

H. R. No. 100, in favor of night sessions, was taken up, when Mr. Justice moved to postpone consideration to second Monday in January.

Mr. Shull called the ayes and noes, the call was not sustained and motion to postpone prevailed.

On motion of Mr. Johnston, of Buncombe, the rules were suspended and H. B. No. 154, to prevent bribery and corruption, was taken up and referred to judiciary committee.

On motion of Mr. Morton, H. R. No. 103, in regard to stationery, was taken up and passed 2d and 3d readings under suspension of rules, and ordered to be engrossed.

Leaves of absence were granted Messrs. Settle and Morgan, of Wake, for six days.

By order of the Speaker, the following committees were announced :

Committee on Immigration.—Messrs. Jones of Caldwell, Young of Yancey, Grayson, Justice, Lyon, Morris, Mitchell, Darden, Brown, Hardy and Joyner of Pitt.

Committee on Military Affairs.—Messrs. Duckworth, Re-

gan, Gullick, Kincade, Morgan of Montgomery, Tucker, Furr, Joyner of Pitt and Fisher.

Mr. Phillips was added to Finance Committee, and Mr. Brown takes place of Mr. Chamberlain on committee on Agriculture, Mechanics and Mining.

On motion of Mr. Stanford, the House adjourned.

WEDNESDAY, December, 14th, 1870.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair, and opened with prayer by Rev. Dr. Mason.

Mr. McAfee rose to correct printed report of Attorney General, on Wilmington, Charlotte & Rutherford Railroad, "that the Supreme Court *intimated* that the State had an interest in said road, but the dictum was intitled to consideration."

Leave of absence for 8 days from Thursday was granted Mr. Robbins.

Mr. Sparrow, from Judiciary Committee, made the following report, (on H. R. No. 161):

Resolved, That William W. Holden, Governor of North Carolina, be impeached of high crimes and misdemeanors in office.

Signed by T. Sparrow, G. W. Broadfoot, Lee M. McAfee, S. A. Ashe, J. D. Stanford, Geo. H. Gregory, H. T. Jordan, J. G. Scott. W. P. Welch, D. Settle, F. A. Strudwick, C. M. T. McCauley, T. D. Johnston.

Mr. Rankin, from committee on Salaries and Fees, reported adversely to

H. B. No. 159, on salaries of Governor and Treasurer.

And to H. B. No. 70, to amend chap. 277, sec. 572, of laws of 1868–'9.

And favorably, on H. R. No. 33, in regard to salaries and fees.

Mr. McNeill, from committee on Propositions and Grievances, reported favorably.

On H. B. No. 43, to prevent felling trees in Little River;

H. B. No. 93, to change the boundaries of Wilkes and Alleghany,

Amendments to H. R. No. 49, in favor of A. S. Hill, a proviso to authorize C. Austin sheriff of Union to collect arrears; and also

A Bill, H. B. No. 160, for relief of sheriffs.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. No. 100, and H. B. No. 151, as correctly engrossed.

INTRODUCTION OF RESOLUTIONS.

H. R. No. 109. By Mr. Robinson, resolution in favor of B. W. Parton, sheriff of Haywood.

H. R. No. 110. By same, in favor of Jas. Crisp, sheriff of Macon. Both referred to committee on propositions and grievances.

H. R. No. 107. By Mr. Atwater, instructing Keeper of Capitol to have roof repaired.

H. R. No. 108. By Mr. Carson, in regard to mail routes and post offices.

Mr. French gave notice of introduction of a bill on amendments to constitution.

INTRODUCTION OF BILLS.

H. B. No. 161. By Mr. Jordan, to investigate alleged frauds and corruption. Referred to judiciary committee.

H. B. No. 162. By Mr. Dunham, for relief of the people of Craven.

H. B. No. 167. By Mr. Lassiter, to waive Homestead Exemptions by consent. Referred to judiciary committee.

H. B. No. 164. By Mr. Robinson, to amend secs. 14 and 15, chap. 3 of revised code. Referred to committee on finance.

H. B. No. 165. By Mr. Welch, to repeal ordinance appointing Court Commission. Referred to judiciary committee.

H. B. 163. By Mr. Anderson, to incorporate Clay Lodge, No. 301, A. Y. M. Referred to committee on corporations.

CALENDAR.

A communication was received from Code Commission, with a bill referred to judiciary committee.

A communication from the Attorney General, relating to employees, spies, &c., received and read.

H. B. 166. By Mr. Justice, to repeal ordinance of convention regarding issuing of bonds. On calendar.

Mr. Johnston, of Buncombe, from committee on Constitutional reform, by permission, reported, recommending passage of H. B. 94, on Convention, with amendments.

The rules were suspended, and bill with amendments ordered to be printed.

Mr. Robinson, from committee on Enrolled Bills, reported S. B. No. 18, referring to Keeper of the Capitol, as correctly enrolled.

On motion of Mr. Strudwick, the rules were suspended, and H. R. No. 106, impeaching Governor Wm. W. Holden, was taken up.

Mr. Dudley moved to lay the resolution on the table, and call the ayes and noes.

The call was sustained and motion lost. Ayes 32; Noes 65.

Ayes–Messrs. Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Garrison, Harris of Franklin, Hargrove, Hardy, Jones of Northampton, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Parrott, Robbins, Smith of Halifax, Tucker, Willis and Young of Wake—32.

Noes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Carson, Crawford, Currie, Dickey, Dunham, French, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Hill, Hinnant, Johnston of Buncombe, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Sykes, Tomlinson, Waring, Welch, Wilcox, Womack, Young of Yancey and York—65.

Mr. Sparrow called previous question.

Mr. French called the ayes and noes on call for previous question, the call was sustained and previous question lost. Ayes 37; Noes 66.

Ayes.—Messrs. Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Currie, Dunham, Furr, Gore, Gullick, Gregory, Hampton, Henderson, Hill, Hinnant, Johns, Joyner of Pitt, Kelley of Davie, Kelsey, Lucas, Luckey, Martin, McAfee, McNeill, Nicholson, Reid, Regan, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Strudwick, Waring and Young of Yancey—37.

Noes.—Messrs. Anderson, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Clinard, Collis, Copeland, Crawford, Darden, Dickey, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Gambrel, Garrison, Goodwyn, Grayson, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Johnston of Buncombe, Jones of Northampton, Jones of Caldwell, Joyner of Johnston, Jordan, Lassiter, Lyon, Mabson, Marler, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Newsome, Nisson, Page, Parrot, Phillips, Powell, Rankin, Reavis, Robbins, Robinson, Settle, Smith of Halifax, Smith of Wayne, Sykes, Tucker, Tomlinson, Welch, Willis, Wilcox, Womack, Young of Wake, and York—66.

Mr. French moved to postpone until Monday, January 16,

1871, and called the ayes and noes; the call was sustained, and the motion lost. Ayes 48; Noes 58.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorne, Carson, Chamberlain, Clinard, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Gambrel, Garrison, Grayson, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Jones of Northamton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Young of Wake and York—48.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Crawford, Currie, Dickey, Dunham, Furr, Gore, Gullick, Gregory, Hampton, Henderson, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Womack and Young of Yancey—58.

Mr. Justice then moved to adjourn.

Mr. Waring then called the ayes and noes. The call was not sustained, and motion lost.

Mr. Mabson then moved to postpone further consideration till to-morrow at 11 o'clock. Motion did not prevail.

Mr. Strudwick then renewed the call for previous question, when

Mr. Justice called the ayes and noes.

The call was sustained and previous question ordered. Ayes 54; Noes 47.

Ayes–Messrs. Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Carson, Chamberlain, Crawford, Currie, Dunham, Furr, Gore, Grayson, Gregory, Henderson, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner

of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Maxwell, McAfee, McCauley, McNeill, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Womack and Young of Yancey—54.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorne, Collis, Copeland, Dickey, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Gambrel, Garrison, Hampton, Harris of Franklin, Hargrove, Hardy, Jones of Northampton, Justice, Lyon, Mabson, Marler, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Newsome, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Young of Wake and York—47.

The ayes and noes were called on passage of resolution, the call was sustained, and resolution adopted. Ayes 60; Noes 46.

Ayes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Carson, Chamberlain, Crawford, Currie, Dunham, Furr, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Womack and Young of Yancey—60.

Noes—Messrs. Anderson, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorne, Clinard, Collis, Copeland, Darden, Dickey, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Harris of Franklin, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith of

Halifax, Sykes, Tucker, Willis, Williamson, and Young of Wake—46.

Mr. Gregory moved to reconsider the vote by which the resolution passed the 3rd reading, and to lay that motion on the table. Motion prevailed.

A message was sent informing the Senate of the passage of House bill 151, declaratory of the meaning of an act repealing an act making appropriations to Railroad Companies, and asking concurrence therein.

A message was received from the Senate proposing to go into the election of the Keeper of the Capitol, the Senate having adjourned, no action was taken.

On motion of Mr. Hargrove, the House adjourned.

THURSDAY, DECEMBER 15th, 1870.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair, and opened with prayer by the Rev. Mr. Grayson, of the House.

REPORTS OF COMMITTEES.

Mr. Johnston, from Judiciary Committee, a substitute for H. B. No. 9, to establish burnt records in the county of Clay.

Mr. Robinson, from committee on Enrolled Bills, reported on bill to appoint a commission to take depositions in Wayne contested election case; an act to extend time for collecting and paying over taxes in Alamance and Caswell; resolution providing for the impeachment of Wm. W. Holden, Governor; an act in relation to the Keeper of the Capitol, and Senate resolution concerning election in 26th Senatorial District as correctly enrolled, and they were ratified.

Mr. McAfee, from committee on Education, reported an amendment to H. R. No. 94, concerning the University, and

adversely on H. R. No. 95, in regard to system of public instruction, and on H. B. No. 67, to amend chap. 184, sec. 52 of an act in reference to public instruction.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. 88, H. B. 132, H. B. 77 and H. R. 103 as correctly engrossed.

Mr. McNeill, from committee on Propositions and Grievances, reported favorably on H. B. 129, to authorize levy of a special tax in Person county.

H. R. No. 113, by Mr. Sparrow, that a committee of three be appointed to go to the Senate, and at the bar thereof, in the name of the House of Representatives and of all the people of the State of North Carolina, to impeach Wm. W. Holden, Governor of the State of North Carolina, of high crimes and misdemeanors in office, and acquaint the Senate that the House of Representatives will, in due time, exhibit particular articles of impeachment against him and make good the same, and that the committee will demand that the Senate take order for the appearance of the said Wm. W. Holden to answer to said impeachment.

Second. Resolved, that a committee of seven be appointed to prepare and report Articles of Impeachment against Wm. W. Holden, Governor of the State of North Carolina, with power to send for persons, papers and records, and to take testimony under oath.

H. R. No. 114. By Mr. Robinson, to amend section 2 of resolution in favor of disabled soldiers. Referred to committee on finance.

R. B. No. 111. By Mr. Justice, instruction to Public Treasurer to use Special Tax money. On calendar.

H. R. No. 112. By Mr. Dickey, in favor of W. F. A. Strange, of Cherokee. Referred to committee on propositions and grievances.

INTRODUCTION OF BILLS.

H. B. No. 168. By Mr. Anderson, authorizing building of

court house in Clay county. Referred to committee on counties, towns, &c.

H. B. No. 169. By Mr. McAfee, to pay Commissioners to visit the University. On calendar.

On motion of Mr. Sparrow, the rules were suspended, and H. R. No. 113 to impeach William W. Holden, Governor, was taken up.

Mr. Mabson called the ayes and noes upon its adoption. The call was sustained and resolution adopted. Ayes 65; Noes 35.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Chamberlain, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tomlinson, Waring, Welch, Wilcox, Womack, Young of Yancey and York—65.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorne, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morgan of Montgomery, Newsome, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—35.

On motion of Mr. Anderson, the rules was suspended and H. B. No. 9, to restore burnt records in Clay, was taken up. Substitute reported by Committee was adopted. Passed second and third readings and ordered to be engrossed.

On motion of Mr. Justice, the rules was suspended and H. R. No. 111 was taken up and, on motion, referred to committee on finance.

On motion of Mr. Robinson, the rules were suspended and

H. B. No. 148, to repeal chapter 42 of laws of 1869–'70, was taken up, proviso offered by Committee was adopted, and bill passed second and third readings, and ordered to be engrossed.

On motion of Mr. Sykes, the rules were suspended and H. B. 114, in favor of George H. Mitchell, was taken up. Passed second and third readings, and ordered to be engrossed.

The following order was announced from the chair:

HOUSE OF REPRESENTATIVES,
December 15th, 1870.

To Messrs. Strudwick, Welch and Sparrow:

GENTLEMEN: In accordance with the resolutions which have passed the House, a copy of which is herewith handed, you are hereby appointed to appear at the bar of the Senate and in the name of the House of Representatives and all the good people of North Carolina, to impeach W. W. Holden, Governor of North Carolina of high crimes and misdemeanors in office.

THOS. J. JARVIS,
Speaker House Representatives.

Copy of resolution providing for impeachment of Wm. W. Holden, Governor.

Resolved, That Wm. W. Holden, Governor of the State of North Carolina, be impeached of high crimes and misdemeanors in office. Passed Dec. 14th, and ratified Dec. 15th, A. D. 1870.

(Signed,) THOS. J. JARVIS,
Speaker House Representatives.

The committee in obedience to the above order, proceeded to the Senate with the resolution, and upon returning presented the following report:

"Mr. SPEAKER; in obedience to the order of the House we proceeded to the bar of the Senate, and in the name of this body, and in the name of all the people of the state of North Carolina, we *impeached*, as we were directed to do, Wm. W. Holden, Governor of North Carolina, of high crimes and misdemeanors, and we demanded that the Senate should take order to make him appear before that body, to answer for the same, and announced that the House would soon present Articles of Impeachment, and make good the same.

To which the response was made.

"The senate had received the message and will consider the same, and take proper action thereon."

(Signed,) F. A. STRUDWICK,
W. P. WELCH,
T. SPARROW.

Indefinite leaves of absence was granted Messrs. Gatling and Chamberlain.

Mr. Robinson, from committee on Enrolled Bills, reported H. B. No. 106, on the impeachment of the Governor as correctly enrolled.

A message was received from the Senate informing the House of the passage of S. B. No. 171, to repeal an act on *per diem* and mileage: also a message, reporting the passage of S. B. No. 174, on election to fill vacancy in 26th Senatorial District.

Also, a message reporting the passage of S. B. No. 13, to allow the transfer of sisters in certain cases. • Referred to committee on judiciary.

S. B. No. 35. Requiring sheriffs and coroners to give notice. Referred to committee on Judiciary.

S. R. No. 127. Upon recess. Placed on the calendar; asking concurrence in the same, and informing the House of the concurrence of passage of S. B. 18, as amended, in relation to Keeper of the Capitol.

On motion of Mr. Phillips, the rules were suspended, and S. R. No. 127 was taken up.

Mr. Sparrow moved to table for the present. Lost.

Mr. Strudwick moved to postpone until Monday at 12 M. Motion prevailed.

On motion of Mr. Phillips, the rules were suspended and S. B. No. 171, a bill to repeal an act in relation to *per diem* and mileage, ratified Nov. 21st, 1869, was taken up and passed its several readings, and ordered to be enrolled.

On motion of Mr. Rankin, the rules were suspended, and S. B. No. 174, relating to an election to be held in the 26th Senatorial District for vacancy, was taken up, and passed its 2nd reading.

On motion of Mr. Powell, the rules were suspended, and S. B. No. 119, regarding a special tax in Chatham, was taken up and passed its 2nd reading. Ayes 47; Noes 15.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryson, Cawthorne, Clinard, Crawford, Currie, Dickey, Dunham, Garrison, Gullick, Gregory, Henderson, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Maxwell, McAfee, McCauley, McNeill, Morris, Mitchell, Parrott, Phillips, Powell, Rankin, Regan, Robinson, Smith of Anson, Smith of Wayne, Sparrow, Strudwick, Tomlinson, Womack and Young of Yancey—47.

Noes—Messrs. Bryant of Halifax, Dudley, Ellison, Hargrove, Jones of Northampton, Jones of Caldwell, Lyon, Mabson, Nisson, Page, Reavis, Smith of Halifax, Tucker, Willis and Williamson—15.

Mr. Phillips offered a letter from the Governor, and the reading was objected to. A motion to read was put to the House and agreed to. [A letter regarding the *Standard* newspaper.]

Mr. Ashe, under the suspension of the rules, introduced a resolution concerning the bar at the mouth of Cape Fear. Referred to the judiciary committee; and,

Mr. Joyner, of Johnston, a bill to pay witnesses before

justices' court, H. B. No. 174. Referred to committee on judiciary.

On motion of Mr. Dickey, the rules were suspended and H. R. No. 49, in favor of A. S. Hill, was taken up, amended and passed its 2d and 3d readings and ordered to be engrossed.

On motion of Mr. Mills, that when this House adjourn it adjourn to meet at 7 o'clock P. M. Withdrawn.

Mr. Justice then moved to adjourn till 10 A. M. to-morrow. Motion was lost.

Leaves of absence was granted Mr. Joyner, of Pitt, for six days from to-morrow; Young, of Yancey, indefinitely; Buxton, from Wednesday; Joyner, of Johnston, till Monday, and Anderson and Clay indefinitely from Wednesday night.

Mr. Justice moved to adjourn, and the motion did not prevail.

On motion of Mr. Jordan, the rules were suspended and H. B. 150 (regarding the levy of a special tax for the county of Person) was taken up and passed its 2d reading. Ayes 55. Noes 15.

Ayes.—Messrs. Anderson, Armstrong, Atwater, Broadfoot, Bryson, Carson, Chamberlain, Clinard, Currie, Dickey, Dunham, Furr, Gambrel, Garrison, Gore, Gullick, Gregory, Hargrove, Hill, Johns, Jones of Caldwell, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lyon, Maxwell, McAfee, McCauley, McNeill, Morris, Mills, Mitchell, Nisson, Phillips, Powell, Rankin, Reavis, Reid, Regan, Scott, Settle, Smith of Anson, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Wilcox, Womack and York—55.

Noes.—Messrs. Bryant of Halifax, Buxton, Copeland, Dudley, Ellison, Faulkner, Fisher, Hampton, Newsome, Page, Robbins, Smith of Halifax, Tucker, Willis and Williamson —15.

The Speaker ordered the announcement of the following special committee to prepare articles of impeachment against William W. Holden, Governor of North Carolina.

Messrs. Scott, Dunham, McAfee, Jordan, Gregory, Waring and Broadfoot.

On motion of Mr. Mabson, the House adjourned.

FRIDAY, December 16th, 1870.

The house met at 1, A. M., Mr. Speaker Jarvis in the chair, and opened with prayer by the Rev. Mr. Collis, of the House.

The Chair ordered the announcement that Messrs. Ashe and Fisher were appointed commissioners to examine into contested election case of Wayne county.

Communications were received and read from the Superintendent of Public Instruction and State Librarian on employees in their offices.

REPORTS OF COMMITTEES.

Mr. Powell, from committee on Engrossed Bills, reported H. R. 49, in favor of A. S. Hill, sheriff of Cherokee, and H. B. 9, to establish burnt records in the county of Clay, and H. B. 14, concerning the city of Wilmington, as correctly engrossed.

Mr. Welch, from the committee on Internal Improvements, reported on H. B. 130, to declare certain roads in Jackson county public roads, recommending its passage.

INTRODUCTION OF RESOLUTIONS.

H. R. 117. Mr. Marler introduced a resolution in favor of two sessions per day, which was placed upon the calendar.

Mr. McCauley, from committee on Corporations, by permission, reported on H. B. No. 41, a bill to make failure to work on public roads a misdemeanor, and recommending its passage with amendments, and H. B. No. 79, extending the powers of county commissioners, recommending its passage.

Mr. Rankin, from committee on Salaries and Fees, reported a communication from Code Commissioners. "No action," as said commission had been abolished.

Mr. Johnston, of Buncombe, introduced a bill against secret political organizations in the State. Placed on the calendar.

Mr. Brown, a bill to call a Convention of the people to amend the Constitution. Referred to committee on constistitutional reform, by request.

CALENDAR.

Leave of absence was granted Mr. Sykes for one week from Thursday next.

Mr. Strudwick, by leave, reported from committee on Finance, on H. R. No. 80, a substitute; S. R. No, 125; H. B No. 83, (referred to committee on claims); H. B. No. 96, favorably; a report from Jacob Siler, that it be printed, and a substitute for H. R. No. 61, in favor of sheriff of Bertie.

On motion of Mr. Rankin, the rules were suspended and S. B. No. 174, concerning special elections in 26th Senatorial District was taken up. Mr. Justice moved to lay on the table. Motion lost.

Mr. Page called the ayes and noes on the passage of the bill. The call was not sustained and the bill passed 3d reading and ordered to be enrolled.

Mr. Robinson, from committee on Enrolled Bills, reported H. R. No. 113, on impeachment of Governor as correctly enrolled.

A communication from the Superintendent of Public Works was received and ordered to be printed, with the accompanying documents.

On motion of Mr. Marler, the rules were suspended and the resolution in favor of night sessions was taken up, and on motion of Mr. Lyon, was indefinitely postponed.

On motion of Mr. Powell, the rules were suspended and

S. B. 119, to allow the Commissioners of Chatham county to levy a special tax, was taken up.

Mr. Cawthorne moved to amend by striking out "90 cents on poll." Call was sustained and motion lost. Ayes 35; Noes 45.

Ayes.—Messrs. Anderson, Armstrong, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorne, Carson, Collis, Dudley, Duckworth, Ellison, Faulkner, Gore, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Newsome, Nisson, Parrott, Phillips, Reavis, Robbins, Smith of Halifax, Smith of Wayne, Sykes, Tucker, Willis, Williamson, Young of Wake, and York—35.

Noes.—Messrs. Ashe, Atwater, Brooks, Broadfoot, Bryson, Chamberlain, Clinard, Copeland, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Garrison, Gatling, Gregory, Hampton, Harris of Guilford, Hill, Hinnant, Jones of Caldwell, Jordan, Kelly of Moore, Kincade, Lassiter, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Powell, Rankin, Reid, Regan, Robinson, Settle, Smith of Anson, Stanford, Stewart, Strudwick, Tomlinson, Waring and Wilcox—45.

On motion of Mr. Powell, the bill was referred to committee on judiciary,

Mr. Welch in the chair.

On motion of Mr. Jordan, the rules were suspended, and H. B. 129, to levy special tax in Person county, was taken up and passed its third reading. Ayes 45; Noes 17.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bryson, Cawthorne, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Rankin, Reid, Regan, Robinson, Smith of Anson, Stanford, Stewart and Womack—45.

Noes—Messrs. Copeland, Dudley, Ellison, Faulkner, Hamp-

ton, Hargrove, Hardy, Lyon, Marler, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker, Willis and Young of Yancey—17.

On motion of Mr. Kelly, of Moore, S. R. 125, in favor of J. R. Munger, sheriff of Moore, was taken up and passed its second and third readings, and ordered to be engrossed.

On motion of Mr. Jones, of Caldwell, the rules were suspended, and H. B. 47, to incorporate the North Carolina Railroad and Manufacturing Company was taken up and made the special order for Saturday, Jan. 14, 1871.

On motion of Mr. McNeill, the rules were suspended and H. B. No. 160, for the relief of sheriffs, was taken up and passed its second and third readings, and ordered to be engrossed.

Mr. Ashe, by consent, reported from the Judiciary Committee on message from the Governor, relating to the Cape Fear bar, and on H. R. No. 115 on same subject, recommending its passage.

On motion of Mr. Brooks, the rules were suspended, and H. B. No. 106, authorizing commissioners of Brunswick county to issue bonds was taken up. Amendment reported by committee adopted. Bill passed its second reading. Ayes 52; Noes 16.

Ayes—Messrs. Anderson, Brooks, Broadfoot, Bryson, Cawthorn, Collis, Crawford, Currie, Fletcher, Garrison, Gatling, Gore, Gullick, Grayson, Hargrove, Hardy, Henderson, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe, Johns, Kelly of Davie, Kelly of Moore, Lassiter, Lyon, Maxwell, McCauley, Morris, Morgan of Montgomery, Mills, Mitchell, Nisson, Phillips, Powell, Rankin, Reavis, Reid, Regan, Robinson, Scott, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker, Willis, Womack and Young of Wake—52.

Noes—Messrs. Carson, Dickey, Duckworth, Dunham, Ellison, Faulkner, Fisher, Hampton, Hinnant, Marler, Nicholson, Page, Robbins, Tomlinson, Williamson and York—16.

A message was received from the Senate informing the

House of the passage of S. B. 180, on future elections in the State, and asking concurrence.

S. B. No. 24, to "repeal chapter 52 of laws of 1868–69" was taken up, passed 3d reading and ordered to be enrolled.

Mr. Powell, from committee on Engrossed Bills, reported H. B. 148, to repeal chapter 42 of acts of '69–'70, as correctly engrossed.

S. B. 133, in favor of Jas. Cashwell, passed 3d reading and was ordered to be enrolled.

S. B. 151, to repeal an act to extend the limits of the town of Rutherfordton, passed 3d reading and was ordered to be engrossed.

S. B. 185, for the relief of Thos. F. Baxter, Sheriff of Currituck, passed 3d reading, and was ordered to be enrolled.

H. B. 46, concerning internal revenue on tobacco and distilled spirits, taken up, passed 3d reading, and ordered to be engrossed.

On motion of Mr. Houston, rules were suspended, and Senate resolution No. 5 was taken up and passed, and ordered to be enrolled, (regarding stationery.)

H. B. No. 68, "to enlarge the powers of County Commissioners," was taken up, and on motion of Mr. Justice, laid on the table.

Mr. Robinson in the chair.

On motion of Mr. Settle, the rules were suspended and S. B. 180 was referred to committee on privileges and elections.

H. B. 187, "to amend chap. 184, sec. 52, laws of 1869, an act on system of Public Instruction," the unfavorable report of the committee was concurred in, and bill failed to pass 2d reading.

H. B. 72, "to correct the charter of the West. Div. of the W. N. C. R. R.," on second reading was taken up.

Mr. Waring moved to postpone consideration to Jan. 24th, 1871.

Mr. Johnston, of Buncombe, moved to amend by postponing to Tuesday next, at 11 a. m.

Mr. Marler moved to adjourn.

Withdrawn to put motion to postpone till Tuesday, and motion to postpone consideration prevailed.

Mr. Marler renewed his motion, and House adjourned.

SATURDAY, December 17th, 1870.

The house met at 10 A. M., Mr. Speaker Jarvis in the chair, and was opened with prayer by Rev. Dr. Atkinson of the city.

REPORTS OF COMMITTEES.

Mr. Nicholson, from committee on Privileges and Elections, reported a substitute for S. B. 180, on elections in the State, and unfavorably on H. B. No. 98, in regard to elections.

Mr. McCauley, from committee on Corporations, reported favorably on H. B. 145, on amendment to charter of the city of Newberne.

Mr. McNeill, from committee on Proprisitions and Grievances, reported favorably on H. B. 110, in favor of John Crisp; on H. R. 109, in favor of B. W. Parton, and on H. R. 100, in favor of V. V. Richardson with an amendment.

REPORTS FROM COMMITTEES.

Mr. Crawford, from committee on Engrossed Bills, reported H. R. 46, "concerning Internal Revenue," and H. B. 129, to authorize the levy of a special tax for the county of Person, and H. B. 160, a bill for the relief of sheriffs, as correctly engrossed.

Mr. Jordan, from the committee on Judiciary, reported a substitute for H. B. 161, to create a committee to investigate charges of fraud and corruption, was ordered to be printed.

Leave of absence was granted to Mr. Morris for one day, Mr. Copeland until Monday, and Mr. Brown till Tuesday.

UNFINISHED BUSINESS.

Was then taken up, and the consideration of H. B. 72, was postponed till Thursday next at 11 a. m.

On motion of Mr. Marler, the rules were suspended and S. B. No. 1, to incorporate the People's Building and Loan Association of Salem, was taken up and passed second and third reading, and ordered to be enrolled.

Mr. Justice rose to a question of privilege: the remarks of Mr. Crawford, as published in the *Sentinel*, did not do him justice.

H. R. No. 180, to raise a committee of enquiry as to State's interest in Cape Fear Navigation Company, was taken up and passed second reading, and referred to committee on finance.

Mr. Sparrow in the chair.

S. R. No. 103, to raise a joint committee on public roads, bridges, &c., was then taken up and passed second reading.

S. R. No. 109, in reference to public debt, was read and referred to committee on finance.

S. B. No. 17, on second reading, to repeal certain parts of ordinance, chap. 41, ratified March 13th, 1869, was taken up and passed second and third readings, and ordered to be enrolled.

S. B. No. 4, to incorporate the Independent Hook and Ladder Company, of the city of Charlotte, was taken up and passed second reading.

S. B. No 19, to provide for the transfer of certain suits from one judicial district to another was called. The amendment reported by the Judiciary Committee was adopted, and the bill, as amended, passed its second reading.

Mr. Ashe, by permission, introduced a resolution to examine into acts of Public Treasurer by a commission, which was referred to finance committee.

Mr. McNeill, from committee on Propositions and Grievances by permission reported a substitute for H. B. No. 21, regarding taking of fish in Neuse river and Contentnea creek.

S. B. No. 92, to allow town commissioners to hold real estate for purposes of cemetery, passed its second reading.

S. B. No. 95, to allow the legal representatives of John Turner, late sheriff of Orange, and L. H. Lourance, late sheriff of Lincoln county, to collect arrearages of taxes, was taken up and passed second reading.

A message was received from the Senate informing the House of the passage of S. B. No. 66, relative to elections in the town of Fayetteville, and asking concurrence.

On motion of Mr. Broadfoot, the rules were suspended and the bill was taken up.

Messrs. Dudley, Mabson and Page gave notice of amendments.

Mr. Cawthorne moved to lay on the table, and called the ayes and noes; the call was sustained and the motion was lost. Ayes 28; Noes 55.

Ayes—Messrs. Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Dudley, Ellison, Faulkner, Fisher, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Justice, Lyon, Mabson, Morgan of Montgomery, Newsome, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Young of Wake—28.

Noes—Messrs. Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Garrison, Gatling, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Marler, Maxwell, McCauley, McNeill, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack and York—55.

Mr. Broadfoot called the previous question.

Mr. Page called the ayes and noes which was sustained and the previous question called. Ayes 49; Noes 36.

Ayes.—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Bry-

son, Chamberlain, Clinard, Crawford, Currie, Dickey, Duckworth, Dunham, Gambrel, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Maxwell, McAfee, McCauley, McNeill, Mitchell, Nicholson, Powell, Rankin, Regan, Robinson, Scott, Settle, Smith of Anson, Smith of Wayne, Stanford, Stewart, Strudwick, Waring and Womack—49.

Noes.—Messrs. Brooks, Brown, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Dudley, Ellison, Faulkner, Fisher, Fletcher, Gatling, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice Lyon, Martin, Mabson, Morgan of Montgomery, Mills, Newsom, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Tomlinson, Willis and Young of Wake—36.

Mr. Dudley moved to amend by striking out 90 and inserting 30, in 5th section, and called for the ayes and noes. The call was sustained and the motion lost. Ayes 40; Noes 48.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Collis, Dudley, Duckworth, Ellison, Faulkner, Fisher, Gambrel, Garrison, Gatling, Hampton, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morgan of Montgomery, Newsome, Nisson, Page, Reavis, Robbins Smith of Halifax, Sykes, Tucker, Willis, Wilcox, Young of Wake and York—40.

Noes—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gore, Gullick, Grayson, Gregory, Henderson, Hill, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Smith of Wayne, Sparrow, Stanford, Stewart. Strudwick, Waring, Welch and Womack —48.

Mr. Ellison moved to amend by referring the ratification of

the bill to the people of Fayetteville, and called for the ayes and noes. The call was sustained and the amendment was lost. Ayes 42; Noes 44.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Collis, Dudley, Ellison, Faulkner, Fisher, Fletcher, Gambrel, Garrison, Gatling, Grayson, Hampton, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Marler, Morgan of Montgomery, Newsome, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Tomlinson, Willis, Young of Wake, and York —42.

Noes—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Crawford, Currie, Dickey, Dunham, Furr, Gore, Gullick, Gregory, Henderson, Hill, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Luckey, Maxwell, McAfee, McNeill, Mills, Mitchell, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Waring, and Womack—44.

On motion of Mr. Strudwick, the vote by which the previous question was called was reconsidered, and on motion of Mr. Broadfoot, the bill was referred to judiciary committee with the amendments of which notice has been given.

A message was received from the Senate on concurrence with the House in passage of H. B. No. 14, concerning the city of Wilmington with amendments, and H. B. No. 140, on *per diem* and mileage, with amendments.

On motion of Mr. Robinson, the rules were suspended and H. B. 140, was taken up.

Mr. Grayson moved to concur in Senate amendments.

Mr. Justice moved to amend motion by not concurring, and to appoint a committee of conference.

Mr. Robinson called the previous question, the question being on concurrence (on motion deciding the other,) Mr.

Robinson called the ayes and noes, and the House refused to concur in the Senate amendments. Ayes 40; Noes 58.

Ayes—Messrs. Anderson, Ashe, Atwater, Brooks, Bryson, Carson, Clinard, Crawford, Dickey, Dunham, Furr, Grambrel, Gore, Grayson, Harris of Guilford, Hill, Hinnant, Johnston of Buncombe, Kelly of Moore, Kelsey, Lassiter, Luckey, Maxwell, McAfee, McCauley, McNeill, Mills, Nicholson, Nisson, Phillips, Powell, Rankin, Robinson, Shull, Smith of Anson, Strudwick, Tomlinson, Welch, Womack, and York—40.

Noes—Messrs. Armstrong, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Chamberlain, Collis, Currie, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Gullick, Gregory, Hampton, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Johnson of Edgecombe, Jones of Caldwell, Jordan, Kelly of Davie, Kincade, Lyon, Martin, Mabson, Marler, Morris, Morgan of Montgomery, Newsom, Page, Parrott, Reavis, Reid, Regan, Robbins, Scott, Settle, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Sykes, Tucker, Waring, Willis, Wilcox, and Young of Wake—58.

A message was sent to the Senate of the action of the House.

Mr. Robinson, from the committee on Enrolled Bills, reported several bills as correctly enrolled.

On motion of Mr. Ashe, the rules were suspended, and H. B. No. 14 was taken up, and amendments adopted by the Senate, read. Mr. Ashe moved concurrence in the amendments and called the previous question.

Mr. Mabson called the ayes and noes on the previous question which was sustained, and the previous question was called. Ayes 51; Noes 30.

Ayes—Messrs. Anderson, Armstrong, Ashe, Brooks, Chamberlain, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Gregory, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Maxwell, McAfee, McCauley, McNeill, Mills, Nicholson, Nisson, Powell,

Rankin, Reid, Regan, Robinson, Scott, Settle, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Waring and York—51.

Noes—Messrs. Brown, Bryant of Halifax, Bunn, Cawthorne, Carson, Collis, Dudley, Ellison, Faulkner, Fletcher, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Marler, Morris, Newsom, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Young of Wake—30.

Mr. Sykes called the ayes and noes on the motion to concur. The call was sustained and the amendment concurred in. Ayes 50; Noes 30.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Grayson, Gregory, Henderson, Houston, Hill, Himant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tomlinson, Waring, Welch and Wilcox—50.

Noes—Messrs. Brooks, Bryant of Halifax, Bunn, Cawthorn, Collis, Dudley, Ellison, Faulkner, Fletcher, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Young of Wake—30.

Mr. Crawford moved to reconsider the vote by which S. B. No. 180, regarding a special election in the 26th Senatorial District was passed its 3d reading.

Mr. Strudwick moved to lay that motion on the table.

Mr. Crawford called for the ayes and noes, and motion was tabled. Ayes 44; Noes 34.

Ayes—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Bryson, Chamberlain, Dickey, Dunham, Furr, Gatling, Gore,

Gullick, Gregory, Hampton, Henderson, Hill, Hinnant, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Marler, McCauley, McNeill, Mills, Nicholson, Rankin, Reid, Regan, Robinson, Scott, Settle, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Waring, Wilcox and Womack—44.

Noes—Messrs. Brown, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Crawford, Dudley, Ellison, Fisher, Fletcher, Hargrove, Hardy, Johnston of Buncombe, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, McAfee, Morris, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Tomlinson, Willis and York —34.

Leave of absence was granted to Mr. Hinnant indefinitely.

A message was received from the Public Treasurer relating to employees, spies, &c., and on motion of Mr. Welch, was referred to committee on finance, with orders to print.

Mr. Jordan rose to a question of privilege. He was a Quaker and claimed the right to wear his hat regardless of the strictures of certain friends.

By permission, Mr. Johnston, of Buncombe, introduced a bill to provide for the election of a Keeper of the Capitol.

The rules were suspended on motion of the same, and the bill passed its 2d and 3d readings, and was ordered to be engrossed.

On motion of Mr. Settle, the rules were suspended and S. B. No. 180 was taken up, and on motion of Mr. Sparrow, was made the special order for Tuesday at 12 m., and was ordered to be printed.

A message was received from the Senate, informing the House of the refusal of the Senate to concur in the passage of H. B. No. 140, on *per diem* and mileage of members, and asking a committee of conference.

On motion of Mr. Justice, the House concurred in the request, and Messrs. Martin, Wilcox and Collis were appointed by the Chair as the House branch of said committee.

Leave of absence was granted Mr. Atkinson till Thursday next, and to Mr. Williamson until Tuesday next.

On motion, the House adjourned.

MONDAY, December 19th, 1870.

The House was called to order at 10 A.' M., Mr. Speaker Jarvis in the chair, with prayer by the Rev. Mr. Grayson, of the House.

The Journal of Saturday was read and approved.

Mr. Crawford rose to a question of privilege. He insisted that the article in the *Sentinel* did no injustice to Mr. Justice, and that he was responsible.

Mr. Marler, by permission, changed his vote on concurrence in Senate amendments to H. B. on *per diem* and mileage.

REPORTS OF COMMITTEES.

Mr. Sparrow, from Judiciary Committee, reported on bill for the protection of distillers, which was referred to committee on finance.

Also, on S. B. No. 66, in regard to the town of Fayetteville, without amendments.

Mr. Strudwick, from committee on Finance, reported favorably on S. B. No. 123, to extend time for levying and collecting taxes in Martin county.

Mr. Dunham, from committe on Elections, reported favorably on the right of A. W. Fisher to a seat in this House.

Mr. Crawford, from committee on Engrossed Bills, reported as correctly engrossed, S. B. 50, and H. B. 180 in regard to Keeper of the Capitol.

INTRODUCTION OF RESOLUTIONS.

Mr. Clinard introduced a resolution in favor of night sessions. Placed on calendar.

Mr. Brooks, to empower commissioners of Brunswick to fill vacancies in their board. Referred to committee on counties, towns and townships.

Mr. Duckworth, a bill in relation to assaults and batteries. Referred to committee on judiciary.

Mr. Martin, a bill to allow Public Treasurer to use special tax money for certain purposes. Referred to committee on finance.

Mr. Robinson, from committee on Enrolled Bills reported,

H. B. No. 30, to restore to the Wilmington, Charlotte and Rutherford Railroad original chartered privileges;

S. B. No. 1, to incorporate the People's Building and Loan Association of Salem;

S. B. No. 17, to repeal parts of certain ordinances passed March 13, 1868; and

S. R. No. 125, for the relief of J. M. Munger, sheriff of Moore; and

H. R. No. 92, as correctly enrolled, and they were ratified.

Leave of absence was granted to Mr. McAfee from Thursday next; to Mr. Garrison from Wednesday until January 11th, 1871; to Mr. Womack from Wednesday until January 1st; to Mr. Willis, and Mr. Hardy from Friday, Mr. Kincade from Friday; Mr. Tucker from Thursday, and to Mr. Collis for 20 days.

Mr. Ashe, by leave, introduced a bill regulating the appointment of guardians *ad litem*. Referred to committee on judiciary.

Mr. Justice, a resolution to request Congress to allow the distillers of grain the same privileges as distillers of fruit.

Mr. Lassiter, a bill to make Deep River a lawful fence in certain places. Referred to committee on propositions and grievances.

Mr. Robinson, by consent, a resolution amending a joint resolution regarding stationery, which was placed on calendar.

Mr. Hill, that no member receive *per diem* who has indefinite leave of absence or overstays his leave. On calendar.

Mr. Hardy, a resolution to restore the credit of the State. On calendar.

Mr. Martin, by consent, reported from Joint Select Committee of conference on *per diem* and mileage. Reporting the same bill known as H. B. No. 140, and recommending that it do pass.

On motion of Mr. Sparrow, the rules were suspended and the report was considered.

Mr. Sparrow moved to concur in the report.

Mr. Settle moved to postpone consideration until Wednesday next at 12 m.

Mr. Sparrow called the previous question, and the motion to postpone was lost.

Mr. Robinson called the ayes and noes on motion to concur, and the motion did not prevail. Ayes 44; Noes 50.

Ayes—Messrs. Broadfoot, Bryan of Jones, Bunn, Buxton, Cawthorn, Chamberlain, Collis, Copeland, Dudley, Ellison, Faulkner, Fletcher, Garrison, Gatling, Goodwyn, Gullick, Gregory, Harris of Franklin, Hargrove, Hardy, Henderson, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Martin, Mabson, Morgan of Montgomery, Newsom, Page, Parrott, Reavis, Reid, Regan, Robbins, Smith of Halifax, Stanford, Stewart, Sykes, Tucker, Waring, Willis, Wilcox and Young of Wake—44.

Noes—Messrs. Anderson, Armstrong, Atwater, Brooks, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel, Hampton, Harris of Guilford, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Moore, Kelsey, Lassiter, Marler, Maxwell, McAfee, McCauley, McNeill, Morris, Mills, Nicholson, Nisson, Phillips, Powell, Rankin, Robinson, Scott, Settle, Shull, Smith of Anson, Strudwick, Tomlinson, Welch, Womack and York—50.

Mr. Dunham, by permission, introduced a bill on *per diem* and mileage. On calendar.

Mr. Broadfoot moved to take up S. B. 66, concerning the town of Fayetteville, which motion did not prevail.

SPECIAL ORDER.

The hour having arrived for the special order, (a resolution regarding a recess) Mr. Johnston moved to make it the special order for Wednesday next at 12 o'clock.

Mr. Mabson moved to lay the motion on the table, which motion was not sustained.

Mr. Dudley called for the ayes and noes on motion to postpone, and the motion to postpone prevailed. Ayes 49; Noes 45.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Crawford, Currie Darden, Dickey, Dunham, Furr, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Nicholson, Powell, Rankin, Reid, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Welch and Womack—49.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Gambrel, Garrison, Gatling, Goodwyn, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Kelly of Moore, Lyon, Martin, Mabson, Morris, Morgan of Montgomery, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Young of Wake and York—45.

Mr. Sparrow moved that a Committee of Conference be appointed on the *per diem* question and that the Senate be informed of the non-concurrence of the House in the report of the last committee.

Mr. Martin moved to indefinitely postpone.

Mr. Mabson called for the ayes and noes, which call was not sustained.

Mr. Sparrow called the previous question, on which Mr. Page called the ayes and noes.

The previous question was called. Ayes 66; Noes 27; and motion to postpone did not prevail.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryson, Cawthorn, Chamberlain, Clinard, Copeland, Crawford, Currie, Duckworth, Dunham, Fletcher, Furr, Gambrel, Grayson, Gregory, Hampton, Harris of Guilford, Hardy, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Phillips, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Womack and York—66.

Noes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Collis, Dudley, Ellison, Fisher, Goodwyn, Harris of Franklin, Hargrove, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Justice, Lyon, Martin, Newsom, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Tucker, Willis and Young of Wake—27.

Mr. Page called the ayes and noes on the motion to appoint a Committee of Conference, and the motion prevailed. Ayes 61; Noes 23.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryson, Carson, Chamberlain, Clinard, Copeland, Crawford, Currie, Dickey, Dudley, Duckworth, Dunham, Faulkner, Furr, Gambrel, Garrison, Grayson, Gregory, Hampton, Harris of Guilford, Hardy, Henderson, Houston, Hill, Johnston of Buncombe, Joyner of Johnston, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kincade Lassiter, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Phillips, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Sykes, Tomlinson, Womack and York—61.

Noes—Messrs. Bryant of Halifax, Bryan of Jones, Buxton, Cawthorn, Ellison, Fisher, Goodwyn, Harris of Franklin,

Hargrove, Johnson of Edgecombe, Johns, Jones of Caldwell, Lyon, Martin, Mabson, Morgan of Montgomery, Newsom, Nisson, Page, Reavis, Robbins, Smith of Halifax, and Willis —23.

And a message was sent to the Senate informing that body that this House had refused to concur in the report of the Committee of Conference, and asking a new committee of conference on same subject. And that Messrs. Sparrow, Settle and Sykes were appointed as House branch of said committee.

Mr. Scott, by consent, made the following report from the committee to prepare articles of impeachment against W. W. Holden, Governor.

REPORT.

The committee appointed by the House of Representatives to prepare articles of impeachment against W. W. Holden, Governor of the State of North Carolina, of high crimes and misdemeanors in office, report as follows, to-wit:

ARTICLES *exhibited by the House of Representatives of the State of North Carolina, in the name of themselves and all the people of the State of North Carolina, against William W. Holden, Governor of the State of North Carolina, in maintenance and support of their impeachment against him, for high crimes and misdemeanors in his said office.*

ARTICLE I.

That by the Constitution of the State of North Carolina, the Governor of said State has power to call out the militia thereof to execute the laws, suppress riots or insurrection, and repel invasion, whenever the execution of the law shall be resisted, or there shall exist any riot, insurrection or invasion, but not otherwise; that William W. Holden, Governor of said State, unmindful of the high duties of his office, the obligation of his

solemn oath of office, and the Constitution and laws of said State, and intending to stir up civil war, and subvert personal and public liberty, and the Constitution and laws of said State, and of the United States, and contriving and intending to humiliate and degrade the said State and the people thereof, and especially the people of the county of Alamance, and to provoke the people to wrath and violence, did, under color of his said office, on the seventh day of March, in the year of our Lord one thousand eight hundred and seventy, in said State, of his own false, corrupt and wicked mind and purpose, proclaim and declare that the county of Alamance in said State, was in insurrection, and did, after the days and times last aforesaid, send bodies of armed, desperate and lawless men, organized and set on foot without authority of law, into said county, and occupy the same by military force, and suspend civil authority, and the Constitution and laws of the State; and did, after the days and times last aforesaid, and before the time of impeachment in this behalf, through and by means of such armed, desperate and lawless men, arrest many peaceable and law-abiding citizens of said county of Alamance, then and there about their lawful business; and did detain, hold, imprison, hang, beat and otherwise maltreat and injure many of them, to wit: Lucien H. Murray, George S. Rogers, William Bingham, Alexander Wilson, Walter Thornton, William Redding, Thomas M. Holt, George Andrews, John Andrews, Frederick Blanchard, Adolphus G. Moore, John Roberson, James N. Holt, William Tate, Alexander Patton, Jesse Grant, Lemuel Whitsett, Josiah Thompson, Sidney Steel, George Johnson, William Patten, Joseph Wright, Benjamin McAdams, Ruffin Andrews, Thomas Ray, Joseph Prichard, Loften Tear, Joseph Thompson, Henry Cooke, William Andrews, M. N. Shaw, John Long, James H. Anderson, Joseph Gibson, Henry Prichard, Joseph Nelson, James R. Murphy, Jr., William Kirkpatrick, Thomas Gray, Jefferson Younger, Frank Mebane, Clement Curtis, John W. McAdams, William Moore, William Clendenen, D. W. Weeden, Daniel Moses, P. Thompson, David Moore, Monroe Fowler, Henry C.

Hurdle, William Whitsett, Albert Murray, J. G. Moore, Joseph Kirkpatrick, W. V. Montgomery, John Trollinger, Jerry Whitsett, Calvin Gibson, John G. Albright, Robert Hannah, William Johnson, Henderson Scott, William Stockard, James Dickson, K. A. Albright, Thomas Lutterloh, John Grant, James Foust, John Curtis, A. Thompson, Robert Stockard, J. A. Moore, James T. Hunter, James S. Scott, John Smith, George Andrews, Milton Pickard, Henry Robertson, John R. Stockard, John Curtis, and Joseph Stockard, when in fact and truth there was no such or any insurrection in said county of Alamance. And he, the said William W. Holden, Governor as aforesaid, well knew that such and said proclamation was groundless and false, and that there was no insurrection in said county, and that all civil authorities, both State and county, in said county, were peacefully and regularly in the full, free and unrestrained exercise in all respects, of the functions of their offices, and the courts were all open, and the due administration of the law was unimpeded by any resistance whatsoever, whereby the said William W. Holden, Governor as aforesaid, did then and there, and in the way and manner, and by the means aforesaid, commit and was guilty of a high crime in office against the Constitution and laws of said State, and the peace, interests and dignity thereof.

ARTICLE II.

That by the Constitution of the State of North Carolina, the Governor of said State has power to call out the militia thereof to execute the law, suppress riots or insurrection whenever the execution of the law shall be resisted, or there shall exist any riot, insurrection or invasion, but not otherwise. That William W. Holden, Governor, of said State, unmindful of the high duties of his office, the obligations of his solemn oath of office and the Constitution and laws of said State, and intending to stir up civil war, and subvert personal and public liberty, and the Constitution and laws of said State and of

the United States, contriving and intending to humiliate and degrade the said State and the people thereof, and especially the people of the county of Caswell in said State, and to provoke the people to wrath and violence, did under the color of his said office, on the eighth day of July, in the year of our Lord one thousand eight hundred and seventy, in said State, of his own false, corrupt and wicked mind and purpose, proclaim and declare the county of Caswell in said State in insurrection, and did, after the days and times last aforesaid, send bodies of armed, desperate and lawless men, organized and set on foot without authority of law, into the said county and occupy the same by military force and suspend the civil authority and the Constitution and laws of the State, and did, after the days and times last aforesaid, and before the time of impeachment in this behalf, through and by means of such armed, desperate and lawless men, arrest many peaceable and law-abiding citizens of said county of Caswell, then and there about their lawful business, and did detain, hold, imprison and otherwise maltreat and injure many of them, to wit: John Kerr, Samuel P. Hill, William B. Bowe, Nathaniel M. Roane, Frank A. Wiley, Jessee C. Griffith, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neil, Barzillai Graves, Robert Roane, James R. Fowler, M. C. Hooper, James C. Williamson and Peter H. Williamson, when, in fact and truth, there was no such or any insurrection in said county of Caswell, and he, the said William W. Holden, Governor as aforesaid, well knew that such and said proclamation was utterly groundless and false, and that there was no insurrection in said county of Caswell, and that all the civil authorities, both State and county in said county, were peacefully and regularly, in the full, free and unrestrained exercise in all respects of the functions of their offices, and the courts were all open and the due administration of the law was unimpeded by any resistance whatsoever, whereby the said William M. Holden, Governor as aforesaid, did then and there, and in the way and manner, and by the means aforesaid, commit and was guilty of a high

crime in office against the Constitution and laws of said State, and the peace, interest and dignity thereof.

ARTICLE III.

That the said William W. Holden, Governor of the State of North Carolina, on the fifth day of August, in the year of our Lord one thousand eight hundred and seventy, in the county of Orange, in said State, did then and there unlawfully, and without any lawful warrant and authority, and in defiance and subversion of the Constitution and laws of said State, and in violation of his oath of office, and under color of his said office, incite, procure, order and command one John Hunnicutt and other evil disposed persons to assault, seize, detain and imprison and deprive of his liberty and privileges as a freeman and citizen of said State, Josiah Turner, Junior, a citizen and resident of the county of Orange in the State aforesaid, and in pursuance of said incitement, procurement, order and command the said John Hunnicutt and the evil disposed persons aforesaid, did assault, seize, detain, imprison and deprive of his liberty and privileges as a freeman and citizen of said county and State, for a long time, to-wit: For the time of ten days and more, the said Josiah Turner, Junior, whereby the said William W. Holden, Governor as aforesaid, did then and there commit a high misdemeanor in office against the Constitution and laws of said State, and the peace, interests and dignity thereof.

ARTICLE IV.

That the said William W. Holden, Governor of the State of North Carolina, on the first day of August, in the year of our Lord one thousand eight hundred and seventy, in the County of Caswell in said State, did, then and there unlawfully and without any lawful warrant and authority, and, in defiance and subverson of the Constitution and laws of said State, and

in violation of his oath of office, and under color of his said office, incite, procure, order and command one George W. Kirk, and one B. G. Burgen and other evil disposed persons, to assault, seize, detain and imprison and deprive of their liberty and privileges as freemen and citizens of said State, John Kerr, Samuel P. Hill, William B. Bowe and Nathaniel M. Roane, citizens and residents of the county of Caswell in the State aforesaid; and in pursuance of said incitement, procurement, order and command, the said George W. Kirk and the said B. G. Burgen, and the evil disposed persons aforesaid, did assault, seize, detain, imprison and deprive of their liberty and privileges as freemen and citizens of said county and State for a long time, to wit: For the time of one month and more, the the said John Kerr, Samuel P. Hill, William B. Bowe and Nathaniel M. Roane, whereby the said William W. Holden, Governor as aforesaid, did then and there commit and was guilty of a high misdemeanor in office against the Constitution and laws of said State and the peace, interests and dignity thereof.

ARTICLE V.

That the said William W. Holden, Governor of the State of North Carolina, heretofore, to wit: In the months of June, July and August, in the year of our Lord one thousand eight hundred and seventy, under color of his said office, unlawfully recruited, armed and equipped as soldiers a large number of men, to wit: five hundred men and more, and organized them as an army, and appointed officers to command and use such armed men as he, the said William W. Holden, Governor, under color of his said office, might from time to time order and direct; that during the said months of June, July and August, he, the said William W. Holden, Governor as aforesaid, under color of his said office, placed a large number of said armed men under the immediate command and control of one George W. Kirk, as Colonel, aided by one B. G. Burgen, as Lieutenant Colonel.

one H. C. Yates, as Major, and sundry other persons as Captains and Lieutenants, and sent such last mentioned armed men under the immediate command of George W. Kirk, as Colonel, B. G. Burgen, as Lieutenant Colonel, H. C. Yates as Major, and said sundry other persons as Captains and Lieutenants, into the county of Alamance, and by the procurement, order and command of him, the said William W. Holden, Governor as aforesaid, under color of his said office, the said armed men last aforesaid, seized, held, detained and imprisoned in said county of Alamance, one Adolphus G. Moore, a peaceable and law-abiding citizen of said county, then and there engaged about his lawful business; that the said Adolphus G. Moore, being so seized, held, detained and imprisoned and deprived of his liberty, was then and there in the custody of the said George W. Kirk, acting as Colonel, and commanding the armed body of men last aforesaid, by the order, command and procurement of the said William W. Holden; that the said Adolphus G. Moore being so seized, held and imprisoned and deprived of his liberty, made due application to the Honorable Richmond M. Pearson, Chief Justice of the Supreme Court of said State, as by law he might do, for the writ of *habeas corpus*, to the end that he, the said Chief Justice, might duly enquire the cause of said seizure, detention and imprisonment, and deliver him from the same according to law. That the said Chief Justice issued the writ of *habeas corpus* at the instance of the said Adolphus G. Moore, directed to the said George W. Kirk, commanding him forthwith to produce the body of the said Adolpus G. Moore, before him the said Chief Justice, at the Chamber of the Supreme Court in the city of Raleigh, in said State; that the said George W. Kirk was, on the seventeenth day of July, in the year of our Lord one thousand eight hundred and seventy, in the county of Alamance, duly served with the said writ of *habeas corpus*; that he made no return of or to the same, as required by law, and refused to produce the body of the said Adolphus G. Moore, before the Chief Justice according to the exigency of said writ,

avowing and declaring that he had made such seizure and detained and imprisoned the said Adolphus G. Moore, at the instance of and by the procurement, command and order of the said William W. Holden, Governor as aforesaid, and would not produce the body of him, the said Adolphus G. Moore, before the said Chief Justice, according to the exigency of said writ, unless compelled so to do by superior armed force, or by the express order and command of the said William W. Holden, Governor as aforesaid ; that such refusal of the said George W. Kirk to obey the said writ, was made duly to appear before the said Chief Justice, whereupon the said Chief Justice made enquiry of the said William W. Holden, Governor as aforesaid, if he had so ordered the said George W. Kirk to so seize, detain and imprison the said Adolphus G. Moore ; that the said William W. Holden, Governor as aforesaid, made answer in substance, and to the effect, to said enquiry of said Chief Justice, that he had theretofore ordered and commanded the said George W. Kirk to so seize, detain and imprison and deprive of his liberty, the said Adolphus G. Moore, and that such seizure and detention was made by his order and command, whereupon the said Chief Justice, upon the consideration, solemnly adjudged in substance and effect that according to the Constitution and laws of said State, the privilege of the writ of *habeas corpus* was not suspended, and that the said George W. Kirk and the said William W. Holden, Governor as aforesaid, were in duty bound to bring and produce the body of the said Adolphus G. Moore, before him the said Chief Justice, according to the exigency of the said writ ; yet the said William W. Holden, Governor as aforesaid, unmindful of his most solemn oath of office, and his high duties as the Executive of said State, and contriving, and then any there intending to deprive the said Adolphus G Moore of his liberty as a free citizen of said State, and to defy and subvert the Constitution and laws of said State, declared that he had so ordered, and did still so order and commanded the said George W. Kirk not to obey the said writ so issued by the said Chief Justice, and then

and there declared to the said Chief Justice, that he, the said William W. Holden, Governor as aforesaid, would not obey the said writ, or the command of the said Chief Justice in that behalf, and that he would not allow the said George W. Kirk to obey the same and produce the body of the said Adolphus G. Moore, before the said Chief Justice, according to the exigency of said writ, until such time as in his discretion he might think proper so to do; that while the said William W. Holden, Governor as aforesaid, so seized, held, detained, imprisoned and deprived of his liberty, said Adolphus G. Moore, and so refused to obey the said writ, and to command the said George W. Kirk so to do, and so resisted the laws and the lawful authority of the said Chief Justice, he was by his own procurement, order and command supported in that behalf by the means and use of said armed men, so commanded and controlled as aforesaid, and so the said William W. Holden, Governor as aforesaid, did in the way and manner, and by the means aforesaid, procure, order and command the said George W. Kirk, so charged by said writ of *habeas corpus*, to refuse to make due return of or to the same, and produce the body of the said Adolphus G. Moore, before the said Chief Justice, according to the exigency of the said writ, an to resist the same and the lawful authority of the said Chief Justice, and did himself then and there in the way and manner and by the means aforesaid, resist the due execution of the said writ, and the lawful authority of the said Chief Justice, and did then and there in the way and manner, and by the means and armed force aforesaid, suspend the privilege of the writ of *habeas corpus*, and did unlawfully and violently seize, detain, hold, imprison and deprive of his liberty, the said Adolphus G. Moore, and for a long time, to wit: for the space of one calendar month, after the said Chief Justice had adjudged such detention illegal, did continue to hold and detain and caused to be held and detained said Adolphus G. Moore, and did in the way and manner and by the means aforesaid, make the military supersede and prevail over the lawful civil power of the State, all of which acts, matters and things,

the said William W. Holden, Governor as aforesaid, did as aforesaid, in violation of his solemn oath of office, and whereby he the said William W. Holden, Governor as aforesaid, did then and there commit high crimes and misdemeanors in office, against the Constitution and laws of said State, and the peace, dignity and interests thereof.

ARTICLE VI.

That the said William W. Holden, Governor of the State of North Carolina, heretofore, to wit: In the months of June, July and August, in the year of our Lord one thousand eight hundred and seventy, under color of his said office, unlawfully recruited, armed and equipped as soldiers a large number of men, to wit: Five hundred men and more, and organized them as an army, and appointed officers to command and use such armed men as he, the said William W. Holden, Governor as aforesaid, under color of his said office, might from time to time order and direct; that during the said months of June, July and August, he, the said William W. Holden, Governor as aforesaid, under color of his said office, placed a large number of said armed men under the immediate command and control of one George W. Kirk, as Colonel, aided by one B. G. Burgen, as Lieutenant Colonel, one H. C. Yates, as Major, and sundry other persons as Captains and Lieutenants, and sent such last mentioned armed men under the immediate command of George W. Kirk, as Colonel, B. G. Burgen, as Lieutenant Colonel, H. C. Yates, as Major, and said sundry other persons as Captains and Lieutenants, in the county of Caswell, and by the procurement, order and command of him, the said William W. Holden, Governor as aforesaid, under color of his said office, the said armed men last aforesaid seized, held, detained and imprisoned in said county of Caswell, John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B.

Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson, peaceable and law-abiding citizens of said county, then and there engaged about their lawful business; that the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson, being so seized, held, detained and imprisoned and deprived of their liberty, were then and there in the custody of the said George W. Kirk, acting as Colonel, and commanding the armed body of men last aforesaid, by the order, command and procurement of the said William W. Holden, Governor as aforesaid; that the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson being so seized, held and imprisoned and deprived of their liberty, made due application to the Honorable Richmond M. Pearson, Chief Justice of the Supreme Court of said State, as by law they might do, for the writ of *habeas corpus*, to the end that he, the said Chief Justice, might duly enquire the cause of said seizure, detention and imprisonment, and deliver them from the same according to law; that the said Chief Justice issued the writ of *habeas corpus* at the instance of the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson, on the twenty-sixth day of July, in the year of our Lord one thousand eight hundred and seventy, directed to the said George W. Kirk, commanding him forth-

with to produce the bodies of the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson, before him, the said Chief Justice, at the Chamber of the Supreme Court in the city of Raleigh, in said State; that the said George W. Kirk was, on the first day of August, in the year of our Lord one thousand eight hundred and seventy, in the county of Caswell, duly served with the said writ of *habeas corpus*; but instead of making due return to the said writ stated that "that I hold the said prisoners under orders from W. W. Holden, Governor and Commander-in-Chief of Militia," and refused to produce the bodies of the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillia Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson before the said Chief Justice, according to the exigencies of the said writ; and thereafter the said George W. Kirk continued to hold and detain and deprive of their liberty, the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson for a long time, to wit: For the space of one calendar month, the said seizure and detention of the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson, and Peter H. Williamson by the said George W. Kirk and the military force

under his command as aforesaid, having been made and continued as aforesaid by the orders of the said William W. Holden, Governor of the State aforesaid, he, the said William W. Holden, Governor as aforesaid, well knowing that the privilege of the writ of *habeas corpus* was not suspended, and that the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson were so detained without authority of law, whereby he, the said William W. Holden, Governor as aforesaid, did then and there commit high crimes and misdemeanors in office against the Constitution and laws of said State, and peace, dignity and interest thereof.

ARTICLE VII.

That the said William W. Holden, Governor of North Carolina, unmindful of his high duty to uphold and protect the Constitution and laws of said State, and the good name, dignity and honor of the people thereof, and unmindful of the obligation of his solemn oath of office, under color of his said office, did, in the months of June, July and August, in the year of our Lord one thousand eight hundred and seventy, in said State, without any authority of law, but in contravention and subversion of the Constitution and laws of said State and the United States, and intending to provoke and stir up civil strife and war, recruit and call together from this State and the State of Tennessee, a large number of men to wit: Five hundred men and more, many of them of the most reckless, desperate, ruffianly and lawless, characters, and did then and there organize, arm and equip them as an army of soldiers, and place the same under the chief command of a notorious desperado from the State of Tennessee, by the name of George W. Kirk, having falsely proclaimed the counties of Alamance

and Caswell in said State in a state of insurrection, and did send large numbers of such armed desperate men into said counties, under the immediate command of the said George W. Kirk and two other desperadoes from the State of Tennessee, to wit: One B. G. Burgen and one H. C. Yates, and did there and then without any warrant or authority, seize, hold, imprison and deprive of their liberty for a long time, to wit: For the time of twenty days and more, many of the peaceable and law-abiding citizens of said counties, to wit: John Kerr, Samuel P. Hill, ——— Scott, John R. Ireland and many others, and seize, hold, imprison and deprive of their liberty, and hung by the neck William Patten, Lucien H. Murray and others, and did thrust into a loathsome dungeon Josiah Turner, Junior, and F. A. Wiley; and to maintain, support and aid the lawless armed men so organized, armed and equipped, did, under color of his said office from time to time during the said months of June, July and August, without any lawful authority, make his warrant upon David A. Jenkins, Treasurer of the State, for large sums of money, to wit: For the sum of seventy thousand dollars and more, and cause and procure the said David A. Jenkins, the Treasurer of the State, to recognize such unlawful warrant, and pay out of the Treasury such said large sums of money to the agent or paymaster of the said William W. Holden, Governor as aforesaid, for the unlawful uses and purposes aforesaid, whereby the said William W. Holden, Governor as aforesaid, did then and there, and by the means and in the manner aforesaid, commit a high misdemeanor in office, in violation of the Constitution and laws of the State, and of the peace and interests and dignity thereof.

ARTICLE VIII.

That the said William W. Holden, Governor of the said State, unmindful of the high duties of his said office, and the obligations of his solemn oath of office, and contriving and intending, and with a view and for the purpose of supporting and

maintaining an armed military force in said State, which he had then and there recruited, organized and formed for illegal purposes, without the sanction of the Constitution and laws of the said State, but in contravention of the same, did from time to time in the months of June, July and August, in the year of our Lord one thousand eight hundred and seventy, under color of his said office, in said State, without the sanction of the Constitution and laws of said State, and in violation of the same, make his warrants as such Governor upon the Treasury of the said State, for large sums of money, to wit: for the sum of eighty thousand ($80,000) dollars and more, to be used for the unlawful purposes aforesaid; that the said Wiliam W. Holden, Governor as aforesaid, under color of his said office, then and there persuaded, commanded, incited and procured David A. Jenkins, Treasurer of said State, to recognize such and said unlawful warrants on the Treasury of said State, and to deliver such and said sums of money to such agents of the said William W. Holden, Governor as aforesaid, as he the said William W. Holden, Governor as aforesaid, might from time to time designate and appoint; that in pursuance of such warrants and orders of the said William W. Holden, Governor as aforesaid, the said David A. Jenkins, Treasurer as aforesaid, delivered to one A. D. Jenkins, called the paymaster, appointed by the said William W. Holden, Governor as aforesaid, for such purpose, large sums of money from said Treasury, to wit: the sum of forty thousand dollars or more; that thereafter, to wit: in the month of August, in the year of our Lord one thousand eight hundred and seventy, one Richmond M. Allison, a citizen of the county of Iredell, in said State, brought his suit in the Superior Court of the last named county, in his own behalf, and in the behalf of all the tax payers of said State, praying that a writ of injunction might then and there be granted, and issued according to law, restraining the said David A. Jenkins, Treasurer as aforesaid, from delivering any sum or sums of money to the said William W. Holden, Governor as aforesaid, or any other persons in obedience to such orders and for such purposes, and also

restraining the said A. D. Jenkins, as such paymaster, or in any other respect or capacity from disbursing or disposing of said sum of money so in his said hands or any part thereof, for the purposes thereof. That the Honorable Anderson Mitchell, Judge of said Superior Court, then and there granted the writ of injunction so prayed for, enjoining and forbidding the said David A. Jenkins, Treasurer as aforesaid, from delivering any money from said Treasury, in obedience to any such warrant or order, so made by the said William W. Holden, Governor as aforesaid, and enjoining and forbidding the said A. D. Jenkins, as such paymaster or agent, from using or disbursing the said money or any part of it, so in his hands, to or for the use of said armed body of men for any of the purposes aforesaid; that the said David A. Jenkins, Treasurer, and the said A. D. Jenkins, were each duly served with said writ of Injunction, but nevertheless, the said William W. Holden, Governor as aforesaid, wickedly intending to suspend and subvert the laws of said State, and to defy and disregard the lawful authority of said Court, did afterwards, to wit: after the month last aforesaid, persuade, incite, order, procure and command the said A. D. Jenkins to defy and disregard the said writ of Injunction, and to deliver the said money so in his custody to another agent of the said William W. Holden, Governor as aforesaid, to be used for the unlawful purposes aforesaid; that the said A. D. Jenkins, in obedience to such last mentioned order, command and procurement of the said William W. Holden, Governor as aforesaid, and in disregard of such writ of Injunction and the lawful authority of said Judge, did deliver the said money so in his hands to another agent of the said William W. Holden, Governor as aforesaid, to wit: To one Richard T. Berry, to be used for the unlawful purpose aforesaid, and the said William W. Holden, Governor as aforesaid, did then and there in the way and manner, and by the means and for the purpose aforesaid, procure, order and command the said A. D. Jenkins so to disregard and disobey the said writ of Injunction and the lawful authority of said Judge,

and did then and there, and in the way and manner and by the means and for the unlawful purpose aforesaid, defy, disregard, ignore, contravene, suspend and defeat the lawful purpose and effect of the writ of Injunction so granted and issued by the said Judge; and thereupon and thereafter the said William W. Holden, Governor as aforesaid, the said sum of public money thus transferred as aforesaid to the hands of the said Richard T. Berry, did order and cause to be paid out and disbursed by him, the said Richard T. Berry, to for and about the illegal purposes aforesaid, to wit: The payment of the expenses in keeping on foot, sustaining and maintaining the said illegal military force as aforesaid; whereby the said William W. Holden, Governor as aforesaid, was then and there guilty of a high misdemeanor in his said office in violation of his oath of office, and in subversion of the laws of said State, and the peace, interests and dignity thereof.

Attest: THOS. J. JARVIS,
Speaker of the House of Representatives.
W. W. GAITHER, *Clerk.*

Signed Jas. G. Scott, chairman, John W. Dunham, George H. Gregory, Henry F. Jordan, Robert P. Waring, Charles W. Broadfoot, and Lee M. McAfee.

Mr. Welch moved that the House resolve itself into a committee of the whole to consider the above articles, and to nominate a board of seven to defend and make good the said articles of impeachment, and the motion prevailed.

House in committee of the whole.

Mr. Strudwick in the chair.

Mr. Welch moved that the articles of impeachment be taken up, read and acted on *seriatim*. The motion prevailed, and article 1st was read and adopted.

Article 2d was then read and announced by the chairman as adopted. A call for a division was made, when the chairman ruled the call out of order. Mr. Harris, of Franklin, appealed

from the decision of the chair—and the chair was sustained by the committee.

Article 3d, 4th and 5th was then taken up and adopted *seriatim*, when Mr. Mabson moved the committee rise and report progress. The motion was not sustained, and article 6th was read and adopted. Article 7th was then read and adopted, and 8th article was read and adopted.

Mr. Jarvis moved that the articles of impeachment as a whole be adopted, which was done, and he then offered the following resolution :

Resolved, That the committee of the whole now proceed to elect by ballot seven managers—members of this House to conduct the impeachment of W. W. Holden, before the bar of the Senate, and the committee recommend to the House, to confer upon said committee power to associate with them other counsel learned in the law.

Mr. Robinson placed in nomination the following gentlemen who were elected : Messrs. Sparrow, Gregory, Dunham, Welch, Johnston, of Buncombe, Scott and Broadfoot, and committee rose and reported progress, and asked to be relieved from further consideration.

Mr. Strudwick then offered the following report from committee on the whole :

Mr. Speaker : The House having resolved itself into a committee of the whole for the purpose of considering the articles of impeachment against W. W. Holden, Governor of North Carolina, and nominating seven managers to prosecute the same, beg leave to report the committee of the whole have had the same under consideration and recommend that the articles of impeachment against said W. W. Holden, which were referred to the committtee, be adopted by the House of Representatives. The committee also recommend Messrs. Sparrow, Gregory, Welch, Johnston, Broadfoot, Scott and

Dunham, as a board of managers to conduct the impeachment of W. W. Holden, with power to employ other counsel if they see proper to do so.

A message was sent to the Senate, informing that body of the non-concurrence of the House in the report of the committee on *per diem*, and asking that another committee be appointed, and that Messrs. Sparrow, Settle and Sykes had been appointed as House branch of said committee.

Mr. Justice called the ayes and noes on the adoption of report from committee on the whole, and the report was adopted. Mr. Harris, of Guilford, being excused from voting. Ayes 52; Noes 38.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Chamberlain, Clinard, Crawford, Currie, Dunham, Furr, Gambrel, Gullick, Grayson, Gregory Hampton, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox and Womack—52.

NOES—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Gatling, Goodwyn, Harris of Franklin, Hargrove, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Newsom, Nisson, Page, Parrot, Phillips, Reavis, Robbins, Smith of Halifax, Tucker, Willis, Young of Wake and York—38.

Mr. Justice moved to adjourn. Motion lost

Leaves of absence was granted Messrs. Newsom, Jones, of Northampton, Morgan, of Montgomery, and Smith, of Halifax, from Friday; and to Messrs. Martin and Regan from Thursday; and to Mr. Brooks from Wednesday till 11th day of Jan., 1871.

Mr. Johnston moved that when this House adjourn it adjourn till 7½ o'clock p. m.

Mr. Justice renewed his motion to adjourn.

The chair ruled the motion in order, and House refused to adjourn.

Mr. Johnston's motion was then put to the House, and prevailed.

Mr. Dunham offered a resolution that a message be sent to the Senate, informing that body that the articles of impeachment against W. W. Holden, Governor, had been preferred by this House, and that seven managers, members of this House, had been appointed to conduct the impeachment, to wit: Messrs. Sparrow, Gregory, Dunham, Welch, Johnston of Buncombe, Scott and Broadfoot.

Mr. Faulkner moved a call of the roll of the House. Motion did not prevail; and

On motion of Mr. Sparrow, the House adjourned.

EVENING SESSION.

DECEMBER 19th, 1870.

The House met pursuant to adjournment, Mr. Speaker Jarvis in the chair.

UNFINISHED BUSINESS.

The unfinished business being that a message be sent to the Senate, informing that body that this House has appointed a board of managers to conduct the impeachment of W. W. Holden, Governor, to-wit: That a message be sent to the Senate to inform them that the House has appointed managers to conduct the impeachment against the Governor of the State of North Carolina, and have directed the managers to

carry to the Senate the articles agreed upon by the House, to be exhibited in maintenance of their impeachment against the said W. W. Holden, Governor of the said State, and that the clerk of the House go with said message.

Mr. Goodwyn called the ayes and noes, and the resolution was adopted. Ayes 52 ; Noes 31.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Chamberlain, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Johns, Jones of Caldwell, Joyner of Johnston, Kelly of Davie, Kincade, Lassiter, Martin, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Waring, Welch, Wilcox and Womack —52.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Copeland, Dudley Ellison, Faulkner, Fletcher, Garrison, Goodwyn, Harris of Franklin, Hargrove, Hardy, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Newsom, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith of Halifax, Tucker and Willis—31.

On motion of Mr. Broadfoot, the rules were suspended, and S. B. 66, concerning the town of Fayetteville, was taken up and the report of the committee recommended its passage. Without amendment was concurred in, when Mr. Broadfoot called the previous question.

Mr. Page called the ayes and noes on call for the previous question, and the question was called. Ayes 44 ; Noes 34.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Carson, Clinard, Crawford, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Henderson, Hill, Johns, Jones of Caldwell, Joyner of Johnston, Kelly of Davie, Kelsey, Lassiter, Maxwell, McAfee, McCauley, McNeill, Mitchell, Powell, Reid, Regan, Robinson, Scott, Settle, Shull, Smith

of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Waring and Womack—44.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Collis, Dudley, Duckworth, Faulkner, Fletcher, Garrison, Goodwyn, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Newsom, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith of Halifax, Tucker and Willis—34.

Mr. Justice then called the ayes and noes on the 2nd reading of the bill, and the bill passed its 2nd reading. Ayes 44; Noes 34.

Ayes—Messrs. Anderson, Ashe, Atwater, Broadfoot, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Henderson, Hill, Joyner of Johnston, Jordan, Kelly of Davie, Kelsey, Lassiter, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mitchell, Page, Powell, Regan, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Waring, Welch and Womack—44.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Garrison, Gatling, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Jones of Northampton, Justice, Morris, Morgan of Montgomery, Mills, Nisson, Parrott, Phillips, Reavis, Robbins, Robinson, Smith of Halifax, Sykes, Tucker, Tomlinson, Willis, Wilcox and York—41.

Mr. Page moved to reconsider the vote by which the bill passed its second reading.

A message was received from the Senate informing the House that that body had passed S. B. No. 54, concerning the Inspectors of the city of Wilmington.

Also, a message that the Senate will receive the committee of managers on the part of the House of Representatives with

the articles of impeachment against W. W. Holden, Governor of North Carolina, to-morrow at 11 o'clock a. m.

Mr. Jones, of Caldwell, moved to lay the motion to reconsider on the table.

Mr. Cawthorn called the ayes and noes, and the motion to lay on the table prevailed. Ayes 48; Noes 31.

Ayes—Messrs. Ashe, Atwater, Broadfoot, Bryson, Chamberlain, Clinard, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelsey, Kincade, Lassiter, Martin, Maxwell, McAfee, McCauley, McNeill, Mitchell, Powell, Rankin, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Sykes, Waring, Wilcox, Womack and York—48.

Noes—Messrs. Anderson, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Garrison, Goodwyn, Hargrove, Hardy, Jones of Northampton, Lyon, Mabson, Morris, Mills, Newsom, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith of Halifax, Tucker and Willis—31.

Mr. Broadfoot called the previous question on third reading.

Mr. Dudley called the ayes and noes. The call was sustained and the bill passed third reading. Ayes 44; Noes 37.

Ayes—Messrs. Anderson, Ashe, Atwater, Broadfoot, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gore, Gullick, Grayson. Gregory, Harris of Guilford, Henderson, Hill, Johnston of Buncombe, Joyner of Johnston, Jordan, Kelsey, Kincade, Lassiter, Marler, Maxwell, McAfee, McCauley, McNeill, Mitchell, Powell, Rankin, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tomlinson, Waring, Welch and Womack—44.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Chamberlain, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Gambrel, Garrison, Gatling, Goodwyn, Hargrove, Hardy, Jones of Caldwell, Jones

of Northampton, Lyon, Mabson, Morris, Morgan of Montgomery, Mills, Newsom, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and York—37.

On motion of Mr. Broadfoot, the vote by which the bill passed its third reading, was reconsidered and the motion laid on the table.

On motion of Mr. Jones, of Caldwell, the rules were suspended, and H. R. No. 94, concerning the University was taken up and passed its second and third readings, and ordered to be engrossed.

Leave of absence was granted to Mr. Mitchell.

Mr. Mills, by leave, introduced a resolution regarding leaves of absence, which was placed on the calendar.

On motion, the House adjourned.

TUESDAY, December 20th, 1870.

The House met pursuant to adjournment, Mr. Speaker Jarvis in the Chair, and opened with prayer by the Rev. Mr. Tucker of the House.

Mr. Johnston, of Buncombe, presented a memorial from citizens of Western North Carolina regarding frauds. Referred to committee on finance.

Mr. Sparrow rose to a question of privilege, mentioning incorrect report of the proceedings of yesterday in *Standard* newspaper. The resolution of the committee of the whole did not authorize the specified number of seven others learned in the law to be employed by the managers of impeachment.

REPORT OF COMMITTEES.

Mr. McNeill, from committee on Propositions and Grievances, reported favorably on H. B. No. 117, regarding commissioners of Iredell.

Mr. Crawford, from committee on Engrossed Bills, reported H. R. No. 94, concerning the University correctly engrossed.

INTRODUCTION OF RESOLUTIONS.

Mr. Gregory introduced a resolution empowering the managers of the impeachment of W. W. Holden, Governor, to employ a clerk and messenger, and to send for persons and papers.

Mr. Johnston, of Buncombe, a resolution regarding George W. Swepson and Milton S. Littlefield. Calendar.

Mr. Sykes, a resolution regarding printing the rules. Placed on calendar.

Leave of absence was granted to Mr. McCauley for 20 days from Thursday next.

Mr. Gregory moved a suspension of the rules, and the resolution in favor of the managers of the impeachment of W. W. Holden, Governor, was taken up and called the previous question.

Mr. Dudley moved to lay the matter on the table, and called the ayes and noes. The motion did not prevail. Ayes 36; Noes 55.

Ayes—Messrs. Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Cawthorn, Chamberlain, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Garrison, Gatling, Goodwyn, Harris of Franklin, Hargrove, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Newsom, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Young of Wake and York—36.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Carson, Clinard, Crawford, Currie, Dunham, Furr, Gambrel, Gore, Grayson, Hampton, Harris of Guilford, Hardy, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Joyner of Johnston, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Marler, Maxwell, McAfee, McCauley, Mills, Nicholson, Powell, Rankin, Reid, Reagan, Robinson,

Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox and Womack—55.

Mr. Page called for the ayes and noes on call for the previous question, and the call was sustained. Ayes 52; Noes 37.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Chamberlain, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Marler, Maxwell, McAfee, McCauley, Mills, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Strudwick, Waring, Welch, Wilcox and Womack—52.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwyn, Harris of Franklin, Hargrove, Hardy, Jones of Northampton, Justice, Lyon, Mabson, Morris, Newsom, Nisson, Page, Parrott, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Young of Wake, and York—37.

The hour having arrived when the Senate would receive the articles of impeachment from the managers of impeachment of W. W. Holden, Governor,

Mr. Strudwick offered the following resolution:

Whereas, The Senate has notified the House that the Senate will receive the Articles of Impeachment against W. W. Holden at 11 a. m. to-day:

Resolved, That the House of Representatives attend the managers to the Senate chamber in the following order.

1st. The Managers two and two; headed by their chairman.

2d. The Speaker of the House.

3rd. The Principal and Assistant Clerks.

4th. The members, two and two.

Mr. Harris, moved to amend by inserting the following proviso: *Provided*, that any member desiring it, be excused from attending the managers.

The proviso prevailed and the resolution, with the proviso, was adopted.

And the House, preceded by the managers, proceeded to the bar of the Senate and there were presented by Mr. Sparrow, chairman of the board of managers, the articles of impeachment against W. W. Holden, Governor, which were read, and the House returned to the chamber of the House of Representatives.

The resolutions in favor of the managers of impeachment were then taken up and adopted.

A message was received from the Senate, informing the House that the Senate had passed S. B. 173, concerning a Convention of the people, and H. B. 20, concerning sheriff of Watauga, with amendments, and asking concurrence therein.

H. B. 20 was placed on calendar.

On motion of Mr. Johnston, S. B. 173 was referred to committee on Constitutional Reform and ordered to be printed, and made the special order for Wednesday at 11 o'clock.

On motion of Mr. Shull, the rules were suspended and H. B. 20, in favor of sheriff of Watauga, was taken up and the amendments of the Senate concurred in, and the bill was ordered to be enrolled.

Mr. Robinson, from committee on Enrolled Bills, reported S. B. 66, to repeal certain acts in regard to the town of Fayetteville, and H. B. 5, an act declaratory of the meaning of an act to repeal certain acts passed in 1868–'69, and H. B. 14, an act concerning the city of Wilmington.

On motion of Mr. Joyner, of Johnston, the rules were suspended, and H. B. 41, making failure to work on public roads a misdemeanor, was taken up, and recommitted to committee on Counties and Towns.

On motion of Mr. Ashe, the rules were suspended and S. B.

154, concerning Inspector of the city of Wilmington, was taken up.

Mr. Mabson moved to amend by substituting "County Commissioners," instead of "Clerk of the Court," wherever it occurred. And amendment was lost.

Mr. Ellison called for the ayes and noes on the 2d reading of the bill, which call was not sustained, and the bill passed 2d and 3d readings, and was ordered to be enrolled.

Mr. Sparrow, from Joint Select Committee on *per diem* and mileage, reported, recommending the adoption of H. B. 140.

Mr. Johnston, of Buncombe, moved suspension of the rules to take up a resolution explanatory of the meaning of a resolution passed by the General Assembly regarding Stationery, and the resolution passed its 2d and 3d readings.

And, on motion of Mr. Johnston, the vote by which the resolution passed its 3d reading was reconsidered, and that motion laid upon the table.

On motion of Mr. Bryson, the special order for the day was taken up, and placed upon the calendar.

On motion of Mr. Houston, the rules were suspended, and H. B. 45, regarding the town of Hickory Tavern, was taken up, and the amendments reported by the committee were concurred in, and the bill as amended passed its 2d and 3d readings, and was ordered to be engrossed.

On motion of Mr. Lassiter, the rules were suspended, and H. B. 96, to appoint a tax collector in the county of Randolph, was taken up, and passed its 2d and 3d readings, and ordered to be engrossed.

Leave of absence was granted Mr. Smith, of Halifax, from Friday to Jan. 11th, 1871.

On motion of Mr. Nicholson, the rules were suspended, and H. B. 117, in relation to the Commissioners of the county of Iredell, was taken up, and passed 2d and 3d readings, and was ordered to be engrossed.

On motion of Mr. Johnston, the rules were suspended, and H. R. 128, regarding G. W. Swepson and M. S. Littlefield, was

taken up and passed 2d and 3d readings, and, on motion of the same, the vote by which the resolution passed its 3d reading was reconsidered, and that motion laid upon the table, and the bill was then ordered to be engrossed and sent to the Senate.

On motion of Mr. Jordan, the rules were suspended, and the substitute for H. B. 161, was taken up and amended by striking out the name of Adams and inserting M. V. Lanier.

Mr. McAfee moved to amend by striking out the name of Lanier and inserting H. W. Gwinn. Motion was lost.

Mr. Strudwick moved to amend by inserting the names of David Coleman and John W. Kirkland.

Mr. Justice moved to amend by striking out Coleman and inserting Marcus Erwin. Lost.

Mr. Mabson moved to amend by striking out the name of Kirkland and inserting the name of Kemp Battle. Lost.

Mr. Strudwick's amendment was then put to the House and lost.

Mr. Goodwyn moved to amend bill by striking out Strange and inserting W. W. Ransom. Lost.

Mr. Sykes moved to amend by striking out Mr. Strange's name and inserting Josiah Turner, Jr. Lost.

Mr. Jordan called the previous question, and the bill passed 2nd reading. Ayes 92; Noes none.

Ayes——Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryant of Halifax, Bryan of Jones, Bryson, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Dickey, Dudley, Dunham, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lyon, Martin, Mabson, Marler, Maxwell, McAfee, McCauley, McNeill, Morris, Mitchell, Newsom, Nicholson, Nisson, Page, Phillips, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Scott, Settle, Sparrow,

Stanford, Stewart, Strudwick, Sykes, Tomlinson, Waring, Willis, Wilcox, Womack, Young of Wake and York—92.

Noes—None.

On motion, the House adjourned till 7 o'clock p. m.

EVENING SESSION.

December 20th, 1870.

House was called to order at 7½ P. M. Mr. Strudwick in the chair.

Leave of absence was granted Mr. Armstrong from to-night until January 11th, 1871.

Senate Bill No. 19, to provide for the removal of certain suits from one district to another, was taken up, put upon its third reading, and ordered to be enrolled.

On motion of Mr. Welch, the rules were suspended and S. B. 128, relating to special tax money in the Treasury, was taken up, and passed second and third readings.

On motion of Mr. Welch, the vote by which the bill passed its third reading, was reconsidered, and motion laid on the table.

On motion of Mr. Gregory, the rules were suspended and S. B. 123, to extend the time for collecting taxes in the county of Martin, was taken up and passed second and third readings, and ordered to be enrolled.

On motion of Mr. Dunham, the rules were suspended and S. B. No. 16, concerning municipal elections, was taken up.

Mr. Sykes moved to postpone consideration till January 24th, 1871, and called the ayes and noes, and the motion was lost. Ayes 31; Noes 49.

Ayes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Har-

grove, Hardy, Jones of Northampton, Lyon, Mabson, Morris, Morgan of Montgomery, Newsom, Nisson, Page, Phillips, Reavis, Smith of Halifax, Sykes, Tucker and Willis—31.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Johnston of Buncombe, Kelly of Davie, Kelsey, Kincade, Lassiter, Luckey, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Smith of Wayne, Sparrow, Stanford, Tomlinson, Welch, Wilcox, Womack and York—49.

Mr. Reavis moved to amend by striking out 90, and inserting 10 days, and called the ayes and noes, and amendment was lost. Ayes 20; Noes 50.

Ayes—Messrs. Brooks, Bryant of Halifax, Bunn, Cawthorn, Collis, Dudley, Ellison, Faulkner, Goodwyn, Hargrove, Jones of Northampton, Lyon, Mabson, Morgan of Montgomery, Page, Reavis, Smith of Halifax, Tucker and Willis—20.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryan of Jones, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gore, Gregory, Hampton, Harris of Guilford, Hardy, Henderson, Houston, Hill, Johns, Kincade, Lassiter, Luckey, Marler, Maxwell, McAfee, McNeill, Mills, Nicholson, Phillips, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Tomlinson, Waring, Welch, Wilcox and Womack—50.

Messrs. Sykes, Page, Hargrove and Phillips gave notice of amendments, and Mr. Dunham called the previous question.

Mr. Page moved to amend by striking out 90 and inserting 30 days, and called the ayes and noes, and the amendment was lost. Ayes 35; Noes 45.

Ayes—Messrs. Brooks, Brayant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Goodwyn,

Hampton, Hargrove, Hardy, Jones of Northampton, Lyon, Martin, Morris, Morgan of Montgomery, Newsom, Nisson, Page, Parrott, Phillips, Reavis, Smith of Halifax, Sykes, Tucker, Tomlinson and Willis—35.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gore, Grayson, Gregory. Henderson, Houston, Hill, Johnston of Buncombe, Johns, Kelsey, Kincade, Lassiter, Luckey, Maxwell, McAfee, McCauley, McNeill, Mills, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Waring, Welch, Wilcox and Womack—45.

By same, an amendment to strike out sec. 4, and called the ayes and noes, and amendment was lost. Ayes 27; Noes 47.

Ayes—Messrs. Bryant of Halifax, Bunn, Buxton, Cawthorn, Copeland, Dudley, Ellison, Faulkner, Fisher, Garrison, Goodwyn, Hargrove, Hardy, Jones of Northampton, Lyon, Mabson, Morris, Newsom, Nisson, Page, Phillips, Reavis, Smith of Halifax, Sykes, Tucker and Willis—27.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Carson, Clinard, Crawford, Currie, Dunham, Furr, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Kelsey, Kincade, Lassiter, Luckey, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Tomlinson, Waring, Welch, Wilcox, Womack and York—47.

Mr. Phillips moved to amend by excluding Raleigh from the operations of the bill. The ayes and noes were called and the amendment lost. Ayes 36; Noes 39.

Ayes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwyn, Hampton, Hargrove, Hardy, Jones of Northampton, Lyon, Marler, Morris, Morgan of Montgomery,

Newsom, Nisson, Page, Parrott, Phillips, Reavis, Smith of Halifax, Sykes, Tucker and Willis—36.

Noes—Messrs. Anderson, Armstrong, Ashe, Broadfoot, Crawford, Currie, Dickey, Dunham, Furr, Gore, Grayson, Gregory, Henderson, Houston, Johnston of Buncombe, Jones of Caldwell, Kelsey, Kincade, Luckey, Maxwell, McAfee, McCauley, McNeill, Mills, Powell, Rankin, Reid, Regan, Robinson, Scott, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Waring, Welch, Wilcox and Womack—39.

Mr. Hargrove moved to amend by striking out all that part of the bill that allows voters on day of election to be challenged. Amendment was lost.

Mr. Sykes offered a proviso excepting Oxford and Elizabeth City from the operations of the bill, and called for the ayes and noes, and the amendment was lost. Ayes 31; Noes 35.

Ayes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Hargrove, Hardy, Jones of Northampton, Lyon, Mabson, Morris, Morgan of Montgomery, Newsom, Nisson, Page, Parrott, Phillips, Reavis, Smith of Halifax, Sykes and Tucker—31.

Noes—Messrs. Anderson, Armstrong, Broadfoot, Crawford, Currie, Dickey, Dunham, Gore, Grayson, Gregory, Henderson, Houston, Hill, Johns, Kelsey, Lassiter, Luckey, Maxwell, McAfee, McCauley, McNeill, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Waring, Welch and Womack—35.

Mr. Phillips called the ayes and noes on the 3rd reading of bill. The question recurring on the amendment offered by the committee excepting the town of Fayetteville was adopted. Ayes 41; Noes 29.

Ayes—Messrs. Anderson, Armstrong, Ashe, Broadfoot, Chamberlain, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gore, Grayson, Gregory, Henderson Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Kelsey, Lassiter, Luckey, Marler, Maxwell, McAfee, McCauley, Nicholson,

Rankin, Reid, Regan, Robinson, Scott, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Tomlinson, Welch, Wilcox and Womack—41.

Noes—Messrs. Brooks, Bryant of Halifax, Buxton, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwyn, Hargrove, Hardy, Jones of Northampton, Lyon, Mabson, Morris, Morgan of Montgomery, Mills, Newsom, Nisson, Page, Parrott, Phillips, Reavis, Smith of Halifax, Sykes and Willis—29.

And the bill passed 2nd reading. Ayes 44; Noes 28.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Grayson, Gregory, Henderson, Johnston of Buncombe, Johns, Jones of Caldwell, Kelsey, Kincade, Lassiter, Maxwell, McAfee, McCauley, Mills, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Tomlinson, Waring, Welch, Wilcox and Womack—44.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwyn, Hargrove, Hardy, Jones of Northampton, Lyon, Morgan of Montgomery, Nisson, Page, Parrott, Phillips, Reavis, Smith of Halifax, Tucker and Willis—28.

On motion of Mr. Crawford, the House adjourned.

WEDNESDAY, December 21st, 1870.

The House met at 10, A. M., Mr. Speaker Jarvis in the chair, and opened with prayer by the Rev. Dr. Mason.

REPORTS OF COMMITTEES.

Mr. Settle, from committee on Claims, on H. Petition No.

2, in favor of D. W. Courts, recommending the issue of new bonds.

Mr. McAfee, from the committee on Judiciary, reported H. B. No. 103, for settling Public Taxes; and S. B. to extend suspension of the Code of Civil Procedure; and S. B. No. 8, to amend an act to regulate the manner of applying for pardon.

Mr. Powell, from committee on Engrossed Bills, reported H. B. No. 45, to incorporate town of Hickory Tavern; H. B. No. 117, in relation to the commissioners of thecounty of Iredell; H. B. No. 92, to abolish the Code Commission; and H. R. No. 122, amending resolution regarding stationery; as correctly engrossed.

Mr. McNeill, from committee on Propositions and Grievances, reported, recommending passage of H. B. No. 80, for the relief of the sheriff of Halifax; H. B. No. 81, for relief of Sheriff of Mitchell; H. B. No. 107, for relief of the Sheriff of Mecklinburg; H. B. No. 126, to authorize the sheriff of Davidson to collect arrears of taxes; H. B. No. 127, for the relief of Jesse Sumner, late sheriff of Buncombe; And unfavorably on H. B. No 76, to authorize county commissioners of Lenoir to levy special tax; And that H. R's, 17, 82, 69, 36, and 70, be laid on the table.

Mr. Robinson, from committee on Enrolled Bills, reported as correctly enrolled, H. B. No. 20, for the relief of John Horton, sheriff of Watauga; H. B. No. 140, on *per diem* and mileage; S. B. No. 54, concerning Inspectors of Wilmington; S. B. No. 129, for extending the time for collecting the taxes in Martin county; S. B. No. 128, in relation to special tax money in treasury; S. B. No. 19, to provide for the removal of certain cases from one district to another; and H. B. No. 5, An act concerning the town of Goldsboro'; and they were ratified by the Speaker.

INTRODUCTION OF BILLS.

Mr. Tomlinson introduced a bill to provide for the better protection of wool growers.

Mr. Robinson, introduced a bill concerning the Swannanoa Gap Turnpike Company.

MESSAGES.

A message was received from the Senate informing the House of the passage by the Senate of S. B. 67, to alter chap. 6 of Revised Code, with amendments; H. B. No. 86, concerning the town of Goldsboro', and asking concurrence in the same.

On motion of Mr. Smith, of Wayne, the rules were suspended and the Senate amendments agreed to, and the bill passed its second and third readings, and ordered to be enrolled.

Mr. Waring introduced a bill to ascertain the right of the State in the Wilmington, Charlotte & Rutherford Railroad, which was referred to the judiciary committee.

Mr. McCauley, from committee on Claims, reported favorably on H. B. No. 41, to make failure to work on public roads a misdemeanor; H. B. No. 124, concerning county commissioners; favorably to a substitute for H. B. No. 168, concerning commissioneas of Clay; favorably on H. B. No. 188, concerning commissioners of Buncombe.

On motion of Mr. Dunham, the rules were suspended and S. B. No. 16, in relation to municipal elections, was taken up on 3d reading. No quorum voting.

Mr. Dudley moved a call of the House. Motion lost.

Mr. Dunham renewed his motion to suspend the rules, and called the ayes and noes. The motion was sustained. Ayes 57; Noes 28.

Ayes—Messrs. Anderson, Ashe, Atwater, Broadfoot, Carson, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelley of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of

Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Wilcox and York—57.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Cawthorn, Copeland, Dudley, Duckworth, Ellison, Faulkner, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Lyon, Mabson, Morris, Morgan of Montgomery, Newsom, Nisson, Page, Reavis, Robbins Smith of Halifax, Tucker, Willis and Young of Wake—28.

Messrs. Ashe, Sparrow, Page and Mabson gave notice of amendments.

Mr. Page moved to amend, by striking out Washington and Fayetteville.

Mr. Dunham called the previous question. The ayes and noes were called, and the call for the previous question prevailed. Ayes 56; Noes 34.

Ayes—Messrs. Anderson, Ashe, Atwater, Broadfoot, Chamberlain, Clinard, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Marler, Maxwell, McAfee, McCauley, Mills, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring and York—56.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Lyon, Mabson, Morris, Morgan of Montgomery, Newsom, Nisson, Page, Parrot, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Young of Wake—34.

Mr. Ashe moved to amend by exempting Wilmington from the operations of the bill, and amendment was sustained—Ayes 49; Noes. 29.

Ayes—Messrs. Anderson, Ashe, Atwater, Broadfoot, Craw-

ford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Joyner of Johnston, Jordan, Kellie of Davie, Kelly of Moore, Kelsey, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tomlinson and Waring—49.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Collis, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Harris of Franklin, Hargrove, Johnson of Edgecombe, Lyon, Mabson, Morris, Morgan of Montgomery, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Young of Wake—29.

Mr. Sparrow moved to amend by inserting Goldsboro, "and all officers who shall be elected in the town of Washington and Goldsboro, at the election in Jan. 1871, shall continue to hold office until the regular election in May, 1872; *Provided, further*, that in all cities and towns not specially excepted in this act, all persons now in office by virtue of any election, shall continue in office until the first general election in May, 1871."

Mr. Mabson moved to amend by striking out sec. 4.

Mr. Ellison called the ayes and noes, and the amendment was lost. Ayes 30; Nays 52.

Ayes—Messrs. Bryant of Halifax, Bunn, Cawthorn, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Harris of Franklin, Hargrove, Johnson of Edgecombe, Jones of Northampton, Lyon, Mabson, Morris, Morgan of Montgomery, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Young of Wake—30.

Noes—Messrs. Anderson, Ashe, Atwater, Broadfoot, Crawford, Currie, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Hill, Hinnant, Johnston of Buncombe, Johns,

Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick and York—52.

Mr. Page moved to strike out section 4, and called the ayes and noes. Lost. Ayes 29; Noes 54.

Ayes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Copeland, Dudley, Ellis, Faulkner, Fisher, Goodwyn, Hampton, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Lyon, Morgan of Montgomery, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Tucker, Willis and Young of Wake.—29.

Noes—Messrs. Anderson, Ashe, Atwater, Broadfoot, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Harris of Guilford, Henderson, Hill, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Lucas, Luckey, Mabson, Maxwell, McAfee, McCauley, Mills, Mitchell, Nicholson, Parrott, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Sykes, Tomlinson, Waring and York—54.

Mr. Ellison moved to amend by striking out "May" and inserting "January," and called the ayes and noes, and the amendment was lost. Ayes 29; Noes 53.

Ayes—Messrs. Brooks, Bryant of Halifax, Bunn, Collis, Dudley, Ellison, Faulkner, Fletcher, Gatling, Goodwyn, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Lyon, Mabson, Morgan of Montgomery, Nicholson, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith of Halifax, Tucker, Willis and Young of Wake—29.

Noes—Messrs. Anderson, Ashe, Atwater, Broadfoot, Carson,

Clinard, Crawford, Currie, Duckworth, Dunham, Furr, Gore, Gullick, Grayson, Gregory, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Powell, Rankin, Reid, Regan, Scott, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tomlinson, Waring and York—53.

And the bill passed its 3rd reading. Ayes 54; Noes 33.

Ayes—Messrs. Anderson, Ashe, Atwater, Broadfoot, Bryson, Clinard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Harris of Franklin, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Tomlinson, Waring and York—54.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwyn, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Lyon, Mabson, Morris Morgan of Montgomery, Newsom, Nisson, Page, Parrott Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Young of Wake—33.

Mr. Jones moved to reconsider the vote by which the bill passed its 3d reading, and to lay that motion on the table, and the motion prevailed.

By permission, Mr. Robbins introduced a bill to allow County Commissioners to fill vacancies in their boards.

SPECIAL ORDER

for the day was then taken up. 1st order a Senate bill regarding recess. Mr. Currie moved to amend by striking out

22d and 11th and inserting 26th and 18th. The amendment did not prevail.

Mr. Sparrow moved to amend by striking out 22d and 11th and inserting 24th and 16th, which motion prevailed, and resolution as amended was adopted.

2d special order being a bill to call a Convention of the people was taken up, and Mr. Settle moved to postpone consideration till to night at 7½ o'clock.

The motion did not prevail, and the following amendments were offered and adopted:

By Mr. Jarvis. In line 6, sec. 1., strike out 16th of February and insert 1st Thursday in March; and 1st section, as amended, was adopted; and sec. 2, was read and adopted. In section 3, line 3, strike out the 10th of March, and insert 24th of March, and in line 101, and insert 3d, and 3d section was adopted as amended, and 4th section was adopted. Strike out the word "special" in section 5. In line 4, section 5, strike out the word "last" and insert the word "first"; and strike out January and insert February, and section 5, as so amended, was adopted. Sections 5, 6, 7, 8 and 9, were adopted. In section 10, 25th line, strike out the word "rebellion" and insert the word "war." In section 101, line 7, after the word "state," insert "except in this particular only, that the convention shall incorporate a clause in said constitution, recognizing and declaring that the doctrine laid down, and decision made in the 63d vol., page 437 N. C. Reports, in the case of Sarah Hill *vs.* Tobias Kepler, shall be taken to be the tone and final decision of the question."

On which Mr. Waring called the ayes and noes.

The call was not sustained, and the amendment adopted.

Mr. Anderson moved to amend by prohibiting the Convention from interfering with section 5, article 5, of the present Constitution. Nor shall said convention have any power to rescind, modify, amend, or in any way interfere with the following clause in article 5, section 5, of the present Constitution, to-wit:

The General Assembly shall have no power to give or lend

the credit of the State in aid of any person, association or corporation, except to aid in the completion of such railroads as may be unfinished at the time of the adoption of this Constitution, or in which the State has a direct pecuniary interest; unless the subject be submitted to a vote of the people of the State, and be approved by a majority of those who shall vote thereon.

Mr. Sparrow moved that when the House adjourn, it adjourn till 7½ o'clock, p. m., and the motion prevailed.

And on motion of Mr. Phillips, the House adjourned.

EVENING SESSION.

DECEMBER 21st, 1870.

The House met at 7½ P. M., Mr. Robinson in the chair.

UNFINISHED BUSINESS

Was taken up, being amendment of Mr. Anderson to sec. 11 of the bill to call a Convention of the people. The amendment did not prevail.

Mr. Houston moved to amend by inserting at the end of sec. 11 a section requiring the Convention to adopt the Constitution of 1861, in conformity with the limitation of the present bill. The amendment was lost, and section 11 was adopted.

Section 12 was then read and adopted without amendment.

Section 13 was then read and adopted without amendment.

Sections 14, 15 and 16 were then severally read and adopted without amendment.

Mr. Tomlinson moved to adjourn and motion lost.

The Bill was put on second reading, and Mr. French called the ayes and noes, and bill passed second reading. Ayes 40; Noes 32.

AYES—Messrs. Ashe, Atwater, Broadfoot, Bryson, Clinard,

Crawford, Currie, Duckworth, Dunham, Gambrel, Grayson, Gregory, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelsey, Kincade, Luckey, Maxwell, McNeill, Mills, Nicholson, Powell, Rankin, Reid, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Waring, Wilcox and York—40.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Gatling, Goodwyn, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Lyon, Mabson, Marler, Morris, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Settle, Smith of Halifax, Sykes, Tucker, Tomlinson and Willis—35.

Mr. Hargrove desired the chair to rule that the bill had not passed unless by a two-third vote.

The Chair refused to make such ruling, and Mr. Hargrove asked appeal from the ruling, and leave was refused.

Leaves of absence was granted Mr. Morris for one week from to-morrow ; to Mr. Johnson, of Edgecombe, from Friday till January 11th, 1871 ; also to Messrs. York and Gambrel from Saturday to 16th January, and to Mr. Harris from to-morrow till January 16th.

And on motion, the House adjourned.

HOUSTON'S AMENDMENT.

In sec. 11, lines 1, 2, 3, and 4 to the word "but" and insert in lieu thereof the following :

"That said Convention shall ordain as the Constitution of this State, the Constitution of North Carolina, as it was on the 19th day of May, 1861, with such additions thereto of the present Constitution of North Carolina, as are forbidden to be interfered with by the foregoing restriction. That the said Convention shall make the Constitution so revised, conform to each, every, and all the restrictions laid in this bill, and shall make said Constitution of 1861, so revised, conform

in all its parts to the Constitution of the United States as now amended so that sec. 11 shall now read :

That said Constitution shall ordain as the Constitution of his State, the Constitution of North Carolina as it was on the 19th day of May, 1861, with such additions thereto of the existing Constitution of North Carolina as are forbidden to be interfered with by the foregoing restrictions. That said Convention shall make said Constitution of 1861 so revised, conform to each, every, and all the restrictions laid in this bill, and shall make said Constitution of 1861 so further revised, conform in all its parts to the Constitution of the United States as now amended. But no such revised Constitution shall have any force or validity until the same shall have been ratified by a majority of the qualified voters of the State, to whom the same shall be submitted according to the mode to be prescribed by ordinance of said Convention.

THURSDAY, December 22d, 1870.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair, and was opened with prayer by the Rev. Mr. Grayson, of the House.

Leave of absence was granted to Mr. Robinson from to-night until January 16th, 1871.

Mr. Settle, by permission, recorded his vote no on 2d reading of Convention bill, and Mr. Johnson, of Edgecombe, Henderson, Strudwick and Welch recorded their votes aye on same question.

PRESENTATION OF MEMORIALS

Mr. French presented a memorial from citizens of New Hanover asking power to levy a special tax.

Mr. Fisher, a memorial from commissioners of Bladen on same subject, and both memorials were referred to committee on finance.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from committee on Corporations, reported favorably on S. B. 105, for the benefit of the Western North Carolina Railroad.

Mr. Powell, from the committee on Engrossed Bills, reported as correctly engrossed, H. B. 195, on Flat Creek Turnpike, in county of Buncombe.

Mr. Jordan, from Judiciary committee, reported favorably on H. B. 155, to amend an act to punish bribery.

RESOLUTIONS.

Mr. Fisher introduced a resolution in favor of the sheriff of Bladen county, which was referred to committee on finance.

INTRODUCTION OF BILLS.

Mr. French, a bill to empower commissioners of New Hanover to levy a special tax. Referred to committee on finance.

Mr. Powell, a bill to define the duties of Judges of the Superior Courts. Placed on calendar.

Mr. Fisher, a bill to empower the commissioners of Bladen to levy a special tax. Referred to committee on finance.

On motion of Mr. Johnston, of Buncombe, the rules were suspended, and S. B. 173, in relation to a Convention of the people, was put upon its 3d reading.

Mr. Houston moved to postpone the consideration of the bill until after recess.

Mr. Robinson, from committee on Enrolled Bills, reported S. B. 16, concerning municipal elections, as correctly enrolled, and the same was ratified by the speaker.

A message was received from the Governor.

The motion of Mr. Houston to postpone S. B. 173 till Jan. 16th, 1871, was discussed.

Mr. Brown moved to amend by striking out 16th and inserting 18th, and amendment did not prevail.

Mr. French called the ayes and noes, and the motion to postpone prevailed. Ayes 44; Noes 36.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Carson, Clinard, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Gore, Gullick, Grayson, Gregory, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Houston, Johnson of Edgecombe, Johns, Kincade, Lyon, Mabson, Marler, Morris, Morgan of Montgomery, Morgan of Wake, Miller, Mitchell, Newsom, Nisson, Page, Reavis, Settle, Sykes, Tucker, Tomlinson, Willis and Young of Wake—45.

Noes—Messrs. Ashe, Broadfoot, Bryson, Crawford, Currie, Duckworth, Dunham, Furr, Gambrel, Hampton, Henderson, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Luckey, Maxwell, McCauley, Nicholson, Phillips, Reid, Reagan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Stewart, Strudwick, Waring, Welch, Wilcox and York—39.

Mr. Mabson moved to adjourn, and the motion did not prevail.

Mr. Settle moved to reconsider the vote to postpone, and that that motion be laid on the table. Motion to table was lost, and Mr. Settle called the ayes and noes on motion to reconsider.

Mr. Welch moved to adjourn, and motion prevailed.

FRIDAY, December 23rd, 1870.

The House met pursuant to adjournment, Mr. Speaker Jarvis in the chair, and was opened with prayer by the Rev. Mr. Grayson of the House.

Messrs. McCauley, Luckey and Strudwick were allowed to record their votes against postponing the consideration of Con-

vention bill, and Mr. Mills to vote in the negative.

Mr. Sparrow, by request, was relieved from duty on committee on Judiciary, and Mr. Jordan was appointed chairman of said committee.

Mr. Jordan, from committee on Judiciary, reported S. B. 106, and H. B. 138, to relieve executors and administrators of the guilt of devastavit unfavorably. H. B. 46, to render valid the act of certain officers, with amendments. H. B. 115, to legalize the acts of justices of the peace of Brunswick. S. B. 119, to allow the Commissioners of Chatham county to lay a special tax, with amendments, and favorably on H. B. 154, to punish bribery and corruption, and H. B. 156, for the government of the Insane Asylum.

REPORT OF COMMITTEES.

Mr. Ashe from Judiciary Committee, reported on H. B. 119, to abolish the special court of the city of Wilmington with a memorial, recommending its passage.

INTRODUCTION OF BILLS AND RESOLUTIONS.

Mr. Strudwick introduced a resolution to appoint a joint committee on contingencies, and under suspension of the rules the resolution passed, and Messrs. Strudwick and Duckworth were appointed House branch of said committee.

Messages were received from the Senate informing the House of the concurrence of the Senate in the passage of S. B. 119 to allow Commissioners of Chatham county to levy a special tax; H. B. 116, to fix the compensation of the Commissioners of Brunswick as amended.

Also, of the passage by that body of H. B. 147, to incorporate the Hebrew Benevolent Society of Charlotte; H. B. 152, S. B. 188, in regard to Rod. McMillan, sheriff of Robinson, with amendments; H. B. 88, for the relief of the securities of W. H. Piercy, deceased; H. B. 49, in relation to sheriff of

Cherokee; H. B. 100, for relief of J. S. Johnson, sheriff of Rockingham; H. B. 77, for relief of sheriff of Cabarrus, and asking concurrence therein.

Also, that Senate had passed S. B. 193, to amend chap. 3, private laws of 1869–'70, and asking concurrence, and that the Senate had concurred in House amendments to S. B. 116, in relation to municipal elections, and had passed S. B. 86, in favor of Robert M. Stafford, sheriff of Guilford; S. B. 146, to repeal an act authorizing the commissioners of Jones county to levy a special tax; also an act to allow commissioners of Jones to levy a special tax, and S. R. 218, to pay expenses of A. C. Cowles in going after Chief Justice Pearson; S. B. 107, to allow Commissioners of Orange to levy a special tax; S. B. 104, concerning debts of municipal corporations; S. B. 135, to prohibit Justices from practicing as attorneys, and asking concurrence therein.

A message was received from the Governor relating to the employment of spies, &c., and was ordered to be printed.

On motion of Mr. Powell, the rules were suspended and the amendment of the Senate to the bill for the relief of the sheriff of Chatham was concurred in and the bill was ordered to be printed.

On motion of Mr. Waring, the rules were suspended and S. B. No. 202, to incorporate the Hebrew Benevolent Society was taken up and passed its second and third readings, and ordered to be enrolled.

On motion of Mr. Hill, the rules were suspended and H. B. No. 119, concerning the Bank of Statesville was taken up and passed second and third reading, and was ordered to be engrossed.

On motion of Mr. Johnston, the enrolling clerk was allowed to correct an error in the enrollment of a bill.

Mr. Dunham, by permission, introduced a resolution in favor of W. D. Newsom, and it was adopted under the suspension of the rules.

On motion of Mr. Johnston, the rules were suspended and

S. B. No. 175, for the Western North Carolina Railroad Company, was taken up.

Mr. Jones, of Caldwell, moved to postpone consideration till Jan. 20th. Moved to amend by ordering it to be printed; motion to amend was lost.

Mr. Jones called the previous question on motion to postpone. The call was sustained and the motion to postpone prevailed.

On motion of Mr. Tomlinson, the rules were suspended and he introduced a resolution appointing Pat. McGowan, Keeper of the Capitol during the recess, and resolution passed its second reading.

Mr. Tomlinson moved suspension of the rules to take up S. B. No. 167. No quorum voted.

On motion of Mr. McNeill, the rules were suspended and H. B. 64, regarding the line between Burke and McDowell counties was taken up, no quorum voting on 2nd reading of bill. Mr. Sykes moved to postpone until the 21st of January, which motion was lost. Mr. Welch then called the ayes and noes on the 2nd reading of the bill, and the bill passed 2nd reading. Ayes 51; Noes 12.

Ayes—Messrs. Ashe, Atwater, Broadfoot, Clinard, Crawford, Currie, Duckworth, Dunham, Faulkner, Fisher, Fletcher, Furr, Goodwyn, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Harris of Franklin, Henderson, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Luckey, Marler, McCauley, McNeill, Mills, Mitchell, Nicholson, Phillips, Powell, Rankin, Reid, Shull, Smith of Wayne, Sparrow, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox and York—51.

Noes—Messrs. Bryant of Halifax, Copeland, Ellison, Hargrove, Johnson of Edgecombe, Lyon, Mabson, Morgan of Wake, Newson, Nisson, Page and Reavis—12.

Mr. Luckey, by permission, introduced a bill concerning the Insane Asylum. Referred to committee on insane asylum.

Mr. Strudwick, from Joint Committee on Contingencies, reported a resolution allowing Clerk's Assistant $3.00, and Doorkeeper's Assistant $2.00 per day.

Mr. Ashe, from committee on Enrolled Bills, on H. B. 96, to appoint a tax collector for the county of Randolph; S. B. 192, to repeal chapter 42 of laws of 1869–'70; Senate B. 204, in relation to Commissioners of Iredell; H. B. 9, to establish burnt records in the county of Clay as correctly enrolled.

On motion of Mr. Jones, the rules were suspended, and S. B. 180, concerning elections in the State, was taken up and passed 2d reading.

On motion of Mr. Strudwick, the rules were suspended, and resolution in favor of employees of the House was taken up.

Mr. Ellison moved to amend by allowing Door keeper's Assistant $2.50 per day. Motion was lost, and resolution passed its 2d and 3d readings.

Leave of absence was granted Messrs. Maxwell, Reid, Wilcox, Waring, Nicholson, Shull, Gullick, Houston, Marler, Page, Fletcher and Nisson, from Saturday, Dec. 24th, to Jan. 16th, 1871.

On motion of Mr. Strudwick, the rules were suspended and S. R. 218, in favor of A. C. Cowles, was taken up.

Mr. Harris called the ayes and noes, which call was not sustained, and the resolution passed 2d reading.

Mr. Marler moved a call of the House. The call was sustained and the roll called, and 61 members answered to their names.

Mr. Nicholson renewed the motion to take up S. B. 67, which did not prevail.

And on motion, the House adjourned.

SATURDAY, December 24th, 1870.

The House met pursuant to adjournment, Mr. Speaker Jarvis in the chair.

The journal of yesterday was read and approved.

Mr. Currie, from committee on Enrolled Bills, reported H. B. 132, concerning contingencies; S. B. to incorporate Hebrew Benevolent Society of Charlotte; resolution in regard to legal steps against Geo. W. Sweepson and M. S. Littlefield; an act for the relief of the sheriff of Chatham, and an act to authorize the construction of the Swannanoa Turnpike, as correctly enrolled.

And on motion, the House adjourned until Monday, Jan. 16th, 1871.

MONDAY, January 16th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Nicholson of the House.

On call of the roll sixty-two members appearing and answering to their names, a quorum was announced present.

Members present, Messrs. Speaker, Anderson, Armstrong, Ashe, Brooks, Brown, Bryan of Jones, Bunn, Carson, Clinard, Crawford, Dickey, Drake, Dudley, Duckworth, Dunham, Ellison, Faulkner, Fisher, Fletcher, Furr, Goodwyn, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnston, Justice, Kelsey, Lassiter Luckey, Marler, McAllister, McCauley, Morgan of Wake, Mills, Newsom, Nicholson, Nisson, Page, Paylor, Rankin, Robbins, Robinson, Smith of Halifax, Strudwick, Tucker, Tomlinson, Waring, Welch, Withers, Willis, Woodhouse and Young of Wake—62.

Mr. McAfee was reported absent on account of sickness.

Leave of absence for four days was granted Mr. French.

The following named gentlemen appeared, presented their credentials and were qualified: Messrs. Drake, Guyther, McAllister, Paylor and Withers.

INTRODUCTION OF RESOLUTIONS.

By Mr. Kelsey, asking report from Superintendent of Public Works on Turnpike Road from Marion. Referred to committee on internal improvements.

By Mr. Johnston, of Buncombe, a resolution in relation to bonds of Western Division of Western North Carolina Railroad. On calendar.

BILLS INTRODUCED.

By Mr. Brooks, a bill to empower justices of the peace to take the privy examination of *femes covert*. Referred to judiciary committee.

By Mr. Welch, a bill to regulate bail in certain cases. On calendar.

A message from his Excellency the Governor was received and read, referring to improper printing of report on employees, &c.

The hour for special order, (a bill to call a Convention of the people) having arrived, it was, on motion, made special order for Wednesday at 11 a. m.

On motion of Mr. Welch, the rules were suspended and bill referring to bail in certain cases was taken up and passed several readings and ordered to be engrossed.

Mr. Welch moved to reconsider, and to lay the motion on the table. Motion prevailed.

On motion of Mr. Johnston, the rules were suspended, and resolution in relation to bonds of Western Division of Western

North Carolina Railroad was taken up and adopted as amended, by striking out "general assembly."

On motion of Mr. Hardy, the rules were suspended, and resolution "to restore the credit of the State" was taken up and referred to finance committee.

Mr. Settle, by consent, introduced a petition from late sheriff of Rockingham. Referred to committee on proposition and grievances.

Mr. Ashe, from special committee on Contested Election case from Wayne county reported—"no depositions taken by consent of member and contestant." Report referred to committee on elections.

On motion of Mr. Strudwick, the House adjourned.

TUESDAY, January 17th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Dr. Reid.

INTRODUCTION OF MEMORIALS AND PETITIONS.

By Mr. Martin, a memorial from citizens of Carteret, with bill to fix size of fish barrels. Referred to committee on propositions and grievances.

REPORTS FROM COMMITTEES.

Mr. Dunham, from committee on Privileges and Elections, reported a resolution directing special committee on election case from Wayne, to take thorough examination of the case.

Mr. Dudley introduced a bill to incorporate African M. E. Singing School Society of Newbern. Referred to committee on propositions and grievances.

By Mr. Dunham, for Mr. Mills, a bill with petition from cit-

izens of Rutherford, asking annexation of part of said county to Burke. Referred to committee on counties, towns, &c.

Resignation of member from Lenoir, Mr. B. F. Parrot, was read and information sent to his Excellency the Governor, of a vacancy in said county.

On motion of Mr. Joyner, of Johnston, the rules were suspended and substitute for H. B. No. 41, making failure to work on public roads a misdemeanor, was taken up, and Mr. Justice moved to amend by striking out $2.00 and insert $1.00. Amendment adopted, and bill passed 2d reading.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. No. 64, "to repeal act changing line between Burke and McDowell counties." H. B. No. 139, "to amend an act to create the Bank of Statesville;" and H. B. No. 212, "to regulate bail in certain cases" as correctly engrossed.

On motion of Mr. Settle, the rules were suspended and H. B. No. 100, "in favor of J. S. Johnson, sheriff," was taken up, and Senate amendments adopted, and bill ordered to be enrolled.

On motion of Mr. Grayson, the rules were suspended and H. B. No. 142, to confirm sale of town lots in Marion, was taken up and passed 3rd reading, and ordered to be engrossed.

On motion of Mr. Johnston, of Buncombe, the rules were suspended and H. B. No. 177, "in relation to secret political societies" was taken up. Mr. Justice moved to amend by inserting "military." Adopted.

Mr. Kelsey, to amend by inserting "oath bound." Adopted.

Mr. Justice, to amend by adding a section, making going disguised *prima facie* evidence of guilt, and called the ayes and noes on its adoption. The call was sustained and the amendment prevailed. Ayes 47; Noes 39.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Carson, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwyn, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Houston, Johnson of Edgecombe, Jones

of Northampton, Justice, Lyon, Martin, Marler, McAllister, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Powell, Reavis, Robbins, Smith of Halifax, Smith of Wayne, Strudwick, Tucker, Tomlinson, Willis, Womack and Williamson—47.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Cawthorn, Crawford, Currie, Dickey, Drake, Dunham, Furr, Henderson, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Lassiter, Luckey, McCauley, Nicholson, Paylor, Rankin, Reid, Robinson, Scott, Settle, Shull, Stanford, Stewart, Waring, Welch, Withers and Woodhouse —39.

Mr. Hill moved to refer to Judiciary Committee, and motion prevailed.

On motion of Mr. Johnston, the rules were suspended and S. B. No. 39, suspending Code of Civil Procedure in certain cases, was taken up, and on motion of Mr. Ashe, recommitted to Judiciary Committee.

A message was sent, transmitting to the Senate H. B's. No. 64, No. 139, and H. B. 212, and asking concurrence in their passage, and informing the Senate that the House had concurred in Senate amendment to H. B. No. 100, in favor of Jno. S. Johnston, Sheriff.

On motion of Mr. Dunham, the rules were suspended and H. R. No. —, to direct special committee on election case from Wayne county, to make further investigation.

On motion of Mr. Johnson, of Edgecombe, the matter was laid on the table.

On motion of Mr. Dudley, the House adjourned.

WEDNESDAY, January 18th, 1871.

House met at 10 A. M. Mr. Speaker Jarvis in the chair. Prayer by Rev. Dr. Mason.

INTRODUCTION OF BILLS.

By Mr. Martin. To regulate the size of fish barrels. Referred to committee on propositions and grievances.

By Mr. Darden. A memorial from citizens of Perquimans, with bill to allow levy of special tax of $5,000. Referred to committee on counties and towns.

By Mr. Anderson. A memorial from commissioners of Clay with resolution, asking payment of expenses of lunatics in said county. Referred to committee on asylum.

By. Mr. Cawthorn. A bill to incorporate Warrenton Railroad Company. Referred to committee on internal improvements.

By Mr. Dickey. A bill in favor of A. S Hill, sheriff of Cherokee. Referred to committee on propositions and grievances.

A message was received from the Senate transmitting S. B. No. 64, "to incorporate Wilmington and Onslow Railroad Company."

S. B. No. 131. "In regard to system of public instruction."

S. B. No. 212. To print Governor's message. On calendar.

S. B. No. 21. "To amend chap. 60, section 53 of revised code.

S. B. No. 225. In favor of sheriff of Bertie. On calendar. S. B. No. 21, and asking concurrence.

Mr. Bryson, by permission, introduced a resolution instructing Judiciary committee to enquire into expenditures for militia of the State. On calendar.

CALENDAR.

On motion of Mr. McAllister, the rules were suspended and S. B. No. 1, in favor of A. Murray, sheriff of Alamance, was taken up and passed 2nd and 3rd readings and ordered to be enrolled.

Mr. Strudwick, by consent, from the committee of Finance, reported, recommending the passage of H. B. No. 164, to amend chap. 2, sec. 14 and 15 of revised code. H. R. No. 114, to amend 2nd sec. of an act ratified March 1st, 1867, in reference to disabled soldiers. S. R. No. 80, to raise a committee of enquiry as to States interest in Cape Fear Navigation Company. H. B. No. 87, to require sheriffs of counties to pay to Treasurers education money, with amendment. H. R. No. 118, to raise commission to examine into accounts of Public Treasurer

On motion of Mr. Houston, the rules were suspended and H. B. No. 105, relating to "punishment for assault with intent to kill," was taken up.

Mr. Crawford offered a substitute repealing sections 7 and 8, chapter 167, laws 1868–'9.

The substitute was accepted and passed 2d and 3d readings, and ordered to be engrossed.

Mr. Crawford moved to reconsider and lay the motion on the table. Motion to table prevailed, and bill was engrossed and sent to Senate for concurrence.

On motion of Mr. Robbins, the rules were suspended and S. B. No. 225, in favor of sheriff of Bertie, was taken up and passed 2nd and 3d readings, and ordered to be enrolled.

Mr. Tomlinson, from committee on Institute for Deaf, Dumb, and Blind, by consent, reported on S. B. No. 67, to alter chap. VI of Revised Code, substituting Board of Trustees for Board of Directors, and moved suspension of the rules to put the bill on its passage. Motion prevailed, when,

Mr. Justice moved to indefinitely postpone, and called the

ayes and noes. The call was sustained and motion lost. Ayes 30; Noes 61.

Ayes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Copeland, Dudley, Ellison, Faulkner, Fletcher, Garrison, Goodwyn, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morgan of Montgomery, Morgan of Wake, Newsom, Nission, Page, Reavis, Smith of Halifax, Willis, Williamson and Young of Wake—30.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Brown, Bryson, Carson, Clinard, Crawford, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Grayson, Hampton, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelley of Davie, Kelsey, Kincade, Lassiter, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Nicholson, Paylor, Powell, Rankin, Reid, Robinson, Scott, Shull, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—61.

The hour for consideration of special order having arrived, being "bill referring to Convention of the People," consideration postponed to to-morrow at 11 o'clock, on motion of Mr. Johnston.

Consideration of unfinished business being resumed, by consent, the name of A. S. Merrimon was stricken from Board of Trustees, and Mr. Welch moved to insert the name of C. M. Busbee instead.

Mr. Martin moved to substitute John C. Gorman instead.

Mr. Page, the name of S. F. Phillips. Withdrawn.

Motion to substitute John C. Gorman was lost, and the name of C. M. Busbee inserted.

A message was received from the Governor referring to disorders in Robeson county, asking authority to act in the case. Referred to judiciary committee with instructions to report necessary action.

On motion of Mr. Tomlinson to suspend the rules to take up S. B. No. 67, on 3d reading, Mr. Hargrove called the ayes and noes. The call was sustained and rules not suspended. Ayes 59; Noes 36.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Brown, Bryson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Grayson, Hampton, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, Nicholson, Paylor, Powell, Rankin, Reid, Robinson, Shull, Smith of Wayne, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—59.

Noes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake —36.

Mr. Jordan, by consent, introduced a resolution asking the Governor to report names of spies, informers, &c. On calendar.

Mr. Strudwick, from Finance Committee, by consent, reported on message of Governor relative to spies, &c., with a resolution dissenting from Governor's opinion that the names of spies should not be published, and requiring their publication. On calendar.

Mr. Robinson, from committee on Enrolled Bills, reported "An act to allow enterers of vacant land further time to obtain grants." "For relief of J. S. Johnson." "To supply temporary deficiency in Treasury." "Resolution concerning internal revenue on tobacco and liquors." H. R. "In relation to

bonds of Western Division of W. N. C. R. R." "Resolution requesting Congress to aid in creating Literary Fund," and "Resolution providing for completion of Western Division of Western N. C. R. R.," as correctly enrolled, and they were ratified.

On motion of Mr. Jones, it was ordered that a message be sent to the Senate requesting the return of H. R. No. —, regarding the University.

CALENDAR RESUMED.

S. B. No. 4, on third reading, "To incorporate Hook and Ladder Co. No. 2, of Charlotte," passed third reading and ordered to be enrolled.

S. B. No. 95. "To allow legal representatives of John Turner and L. H. Lowrance to collect arrears of taxes," passed third reading and ordered to be enrolled.

S. B. No —. To allow Commissioners of cities and towns to hold real estate for purposes of cemetery, was taken up.

On motion of Mr. Phillips, it was amended, restricting the number of acres to 25 was adopted, and bill as amended passed third reading and ordered to be engrossed and returned to Senate for concurrence.

On motion of Mr. Brown, the rules were suspended and S. R. No. 96, "requesting members of Congress to have bankrupt act amended," was taken up, and passed second and third readings and ordered enrolled.

On motion of Mr. Jones, of Caldwell, the rules were suspenpended and H. B. No. 47, "to incorporate North Carolina Railroad and Manufacturing Company," was taken up and passed second and third readings and ordered to be engrossed.

Mr. Phillips moved to reconsider the vote by which S. B. No. 225, passed third reading and to lay the motion on the table.

Motion prevailed and bill was enrolled.

Mr. Hargrove, from Judiciary Committee, by consent,

reported, recommending the passage of S. B. No. — to suspend the Code of Civil Procedure in certain cases.

On motion of Mr. Justice, the rules were suspended and H. B. No. —, to incorporate Spartanburg, Rutherford and Columbus Railroad, was taken up.

The substitute reported from Judiciary Committee adopted, and passed second reading.

On motion of Mr. Waring, the rules were further suspended and bill ordered to be printed.

On motion of Mr. Strudwick, the House adjourned.

THURSDAY, JANUARY 19th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Dr. Atkinson.

MEMORIALS.

By Mr. Ashe, a memorial from citizens of Wilmington against abolishment of city courts. Referred to judiciary committee.

REPORTS OF COMMITTEES.

Mr. Currie, from committee on Enrolled Bills, reported S. B. No. 225 for relief of sheriff of Bertie, as correctly enrolled, and it was ratified.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. 142 "relative to sale of lands by Commissioners of McDowell," as correctly engrossed.

RESOLUTIONS INTRODUCED.

Mr. Dunham, for Mr. Mills, a resolution instructing members

of Congress to get amnesty for petty offenders against revenue laws. On calendar.

By Mr. Kelsey, bill against secret political societies. Referred to committee on judiciary.

INTRODUCTION OF BILLS.

By Mr. Morris, a bill, with petition, to legalize municipal election on 2d January, in Hendersonville. Referred to committee on counties, towns, &c.

By Mr. Luckey, to repeal sec. 31, chap. 201, of an act of 12th April, 1869. Referred to judiciary committee.

By Mr. Robinson, to amend sections 9 and 10, chap. 81, laws of 1868—'69, relating to Western Turnpike road. Referred to committee on internal improvements.

By same, a bill to authorize commissioners of Macon to levy a special tax. Referred to committee on counties, towns, &c.

By same, to extend time for settling taxes with Treasurers to J. M. Roan, sheriff of Macon. Referred to committee on propositions and grievances.

By Mr. Henderson, to change the time for holding Superior Courts in 9th Judicial district. Referred to judiciary committee.

By Mr. Martin, to repeal an act in reference to quarantine regulations of Beaufort. Referred to finance committee.

By Mr. Smith, of Wayne, to amend sec. 10 of an act to provide for a system of public instruction. Referred to committee on education.

By Mr. Page, to authorize county Commissioners to control bridges and roads, allowing levy of tax for the purpose of keeping them in repair. Referred to committee on counties and towns.

By Mr. Dudley, concerning "Reliance Bucket and Fire Company of Newbern." Referred to committee on corporations.

CALENDAR.

On motion of Mr. Joyner, of Johnston, the rules were suspended, and substitute for H. B. No. 41, making failure to work on roads a misdemeanor, was taken up and passed third reading, and ordered to be engrossed.

Mr. Jones, of Caldwell, moved to reconsider the vote by which Western North Carolina and Manufacturing Company bill passed third reading, and offered amendments which were adopted, and bill, as amended, passed third reading.

On motion of Mr. Withers, the rules were suspended, and H. R. No. 118, in favor of Jesse C. Griffith, sheriff, was taken up, and Mr. Justice moved to strike out 1867; motion did not prevail, and bill passed third reading, and ordered engrossed.

Special order was taken up, being a bill to call a Convention of the people.

Mr. Scott moved to postpone to Monday next at 11 o'clock.

Mr. Mabson moved to postpone indefinitely.

Mr. Goodwyn called the ayes and noes. The call was sustained, and motion to postpone indefinitely did not prevail. Ayes 43; Noes 55.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwyn, Guyther, Hampton, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Marler, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—43.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Grayson, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Luckey, Martin, Maxwell, McAllister,

McCauley, McNeill, Nicholson, Paylor, Powell, Rankin, Reid, Robinson, Scott, Shull, Smith of Wayne, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—55.

Mr. Page moved to lay on the table. Motion lost.

Mr. Sykes moved to postpone to 23d of November. Motion lost.

Mr. Scott called the previous question, when Mr. Page called the ayes andnoes. The callwas sustained and previous question called. Ayes 60; Noes 33.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Grayson, Hampton, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill Nicholson, Paylor, Powell, Rankin, Reid, Robinson, Scott, Settle, Shull, Smith of Wayne, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—60.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Newsom, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker, Willis, Williamson and Young of Wake—33.

Mr. Ellison called the ayes and noes on motion to postpone to Monday next. The call was sustained and motion to postpone prevailed. Ayes 60; Noes 32.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Brown, Bryson, Cawthorn, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Grayson, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Cald-

well, Joyner of Pitt, Jordan, Kelly of Davie, Kincade, Lassiter, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Morris, Nicholson, Powell, Rankin, Reid, Robinson, Scott, Settle, Shull, Smith of Wayne, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—60.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Guyther, Hargrove, Hardy, Jones of Northampton, Justice, Lyon, Mabson, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Young of Wake—32.

A message was received from the governor regarding report of N. W. Woodfin, in matter of Geo. W. Swepson. Ordered to be printed and referred to the committee on internal improvements.

A message was received from the Senate, transmitting and asking concurrence in the passage of S. B. No. 217, in relation to vacancies in county offices; S. B. No. 211, authorizing levy of special tax in Hyde; S. B. No. 42, in relation to poor house in Lincoln; S. B. No. 58, to appoint commissioners to investigate frauds in proceeds of State bonds issued to R. R. Companies.

S. B. No. 248, in favor of Wm. H. Perkins, tax collector of Pitt, and S. B. No. 146 for relief of R. McWilliam, sheriff of Robeson.

On motion of Mr. Anderson, the rules were suspended and H. B. No. 168, to authorize levy of special tax, was taken up and amended by inserting additional section, and bill as amended passed 2nd reading. Ayes 61; Noes 1.

Ayes—Messrs. Anderson, Armstrong, Atwater, Brooks, Bryant of Halifax, Bryson, Buxton, Cawthorn, Carson, Clinard, Darden, Dickey, Duckworth, Dunham, Ellison, Faulkner, Furr, Gambrel, Grayson, Guyther, Harris of Guilford, Harris of Franklin, Hardy, Henderson, Houston, Hill, Johnston of

Buncombe, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kincade, Lassiter, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Morris, Newsom, Nisson, Paylor, Powell, Rankin, Robbins, Robinson, Scott, Settle, Smith of Wayne, Stanford, Stewart, Tomlinson, Waring, Withers, Wilcox, Womack, Williamson, Young of Wake and York—61.

Noes—Mr. Morgan of Wake—1.

Mr. Welch in the Chair.

On motion of Mr. McNeill, the rules were suspended, and S. B. No. 246, in favor of R. McMillan, sheriff of Robeson, was taken up and passed 2nd and 3rd readings, and ordered to be enrolled.

On motion of Mr. Tomlinson, the rules were suspended and S. B. No. 67, referring to institute of deaf, dumb and blind, taken up. Mr. Dudley moved to make it special order for Wednesday. Motion lost. Mr. Tomlinson called the previous question. Mr. Dudley called the ayes and noes; on call of previous question the call was sustained and question ordered. Ayes 59; Noes 25.

Ayes——Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Grayson, Hampton, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kincade, Lassiter, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Nicholson, Paylor, Powell, Reid, Robinson, Scott, Settle, Shull, Smith of Wayne, Stanford, Stewart, Strudwick, Sykes, Tomlinson, Withers, Wilcox, Woodhouse and York—59.

Noes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Copeland, Dudley, Ellison, Faulkner, Goodwyn, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morgan of Wake, New-

som, Page, Reavis, Robbins, Smith of Halifax, Tucker and Willis—25.

And bill passed third reading.

On motion of Mr. Jordan, the rules were suspended and H. R. No. 137, to publish names of spies, detectives, &c., was taken up.

Mr. Page moved to postpone for ten (10) days.

Mr. Jordan called the previous question.

Mr. Johnson, of Edgecombe, called the ayes and noes on motion to postpone, the call was not sustained and motion lost and resolution was adopted.

On motion of Mr. Jordan, H. B. No. 119, in regard to Special Court in Wilmington, was recommitted to the Judiciary committee.

A message was received from the Senate transmitting, H. B. No. 105, S. B. No. 245, with amendments and asking concurrence.

On motion of Mr. Crawford, the rules were suspended and amendments of Senate concurred in.

On motion of Mr. Johnston, of Buncombe, the rules were suspended and H. B. No. —, to suspend Code of Civil Procedure in certain cases was taken up. Substitute offered by Judiciary Committee, accepted and passed second reading, when Mr. Johnston moved to make bill special order for to-morrow at 11 o'clock. No quorum voting.

On motion of Mr. Jordan the matter was recommitted to Judiciary Committee.

On motion of Mr. Dunham, the House reconsidered H. B. No. 105, S. B. No. 245, to amend sec. 7 and 8 of an act relating to punishment, and moved to amend by inserting a ratifying clause. Amendment was adopted, and bill passed third reading, and ordered to be engrossed and transmitted to Senate.

Leaves of absence as follows was granted: To Mr. Hinnant, indefinite on account of sickness; to Mr. Mills for two weeks; to Mr. French till Monday, and Mr. Young, of Yancey, indefinitely, on account of sickness in family.

On motion of Mr. Page, the House adiourned.

FRIDAY, January 20th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Grayson of the House.

Mr. Speaker Jarvis, by consent of the House, issued certificate to S. A. White, late member from Alamance, for pay for time served in the House.

REPORTS OF COMMITTEES.

Mr. McNeill, from committee on Propositions and Grievances, reported favorably on H. B. No. 218, to regulate size of fish barrels; and H. B. No. 147, relating to inspector and weigher of the port of Newbern, adversely.

Mr. Welch, from committee on Internal Improvements reported favorably on H. B. 217, to incorporate Warrenton R. R. Co.; S. B. No, 64, incorporating Wilmington and Onslow R. R. Co., and H. B. No, 231, to amend sections 9 and 10, chap. 81 of laws of 1868–'69.

Mr. Crawford, from committee on Engrossed Bills, reported on H. B. No. 47, as correctly engrossed.

INTRODUCTION OF BILLS.

By Mr. Garrison, a bill to authorize a levy of special tax in Polk county, with petition of citizens. Referred to committee on counties, towns and corporations.

By Mr. Womack, a bill to amend sections 8 and 29, chap. 3, concerning criminal cases, laws of '68–'69. Referred to judiciary committee.

By Mr. Anderson, a memorial with bill to change boundaries of Clay and Macon counties. Referred to committee on counties, towns, &c.

By Mr. Morris, a bill to incorporate Blue Ridge Academy. Referred to committee on corporations.

By Mr. Scott, a bill relating to the transfer of cases from County to Superior Courts. Referred to judiciary committee.

By Mr. Dickey, a bill to relieve ministers of gospels from capitation tax. Referred to judiciary committee.

Mr. Robinson, from committee on Enrolled Bills, reported resolution asking influence of members of Congress to amend section 14th of bankrupt law; an act to incorporate Independent Hook and Ladder Co. No. 2, of Charlotte; an act in favor of legal representatives of late sheriffs of Orange and Lincoln counties; an act to allow commissioners of cities and towns to hold real estate for purposes of a cemetery; a resolution for relief of A. Murray, sheriff of Alamance; an act for relief of R. McMillan, sheriff of Robeson, as correctly enrolled, and they were ratified.

Mr. Speaker offered report from Code Commisson.

Mr. Sparrow moved to receive the report and refer to Judiciary committee.

Mr. Robinson moved to lay the matter on the table, and called the ayes and noes. The motion was sustained and the matter tabled. Ayes 49; Noes 43.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Grayson, Guyther, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kincade, Lassiter, Lucas, Martin, Marler, Maxwell, McAllister, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Welch, Woodhouse and York—49.

Noes—Messrs. Brooks, Bryson, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Garrison, Goodwyn, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Robbins, Smith of Halifax, Sparrow, Stanford,

Sykes, Tucker, Tomlinson, Waring, Withers, Williamson and Young of Wake—43.

Mr. Johnston, of Buncombe, by consent, introduced a bill to authorize redemption of real estate sold for taxes, &c. Referred to judiciary committee.

By same, a bill declaratory of meaning of sec. 34, chap. 225, laws of 1869–'70, and moved to suspend the rules to take up the bill.

Mr. Hargrove called the ayes and noes on motion to suspend rules. The call was sustained and rules were suspended. Ayes 57; Noes 32.

Ayes—Messrs. Armstrong, Ashe, Atwater, Brooks, Broadfoot, Brown, Bryson, Carson, Clinard, Crawford, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Fletcher, Furr, Gambrel, Gatling, Grayson, Hampton, Henderson, Hill, Hinnant, Johnston of Buncombe, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Morris, Nicholson, Paylor, Regan, Robinson, Scott, Shull, Smith of Wayne, Sparrow, Stanford, Sykes, Tomlinson, Waring, Welch, Woodhouse and York—57.

Noes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Collis, Copeland, Dudley, Ellison, Faulkner, Garrison, Goodwyn, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Lyon, Mabson, Morgan of Wake, Newsom, Nisson, Page, Robbins, Settle, Smith of Halifax, Tucker, Withers, Willis, Williamson and Young of Wake—32.

And bill passed second reading.

On motion of Mr. Justice, the rules were suspended, and H. B. No. 166, to repeal certain ordinances of convention taken up, and moved to make special order for 12½ o'clock.

Mr. Broadfoot moved to make it special order for to-morrow, Saturday, at 12 p. m., and motion prevailed.

The hour for consideration of special order, being a bill for

the benefit of Eastern Division of W. N. C. R. R., having arrived, Mr. Justice moved to print.

Mr. Houston offered amendments.

Mr. Waring moved to amend motion to print by inserting amendments and to make it special order for Tuesday next, at 12 m.

Mr. Jones called the ayes and noes. The call was sustained, and motion to postpone and print prevailed. Ayes 81; Noes 6.

Ayes—Messrs. Armstrong, Atwater, Brooks, Broadfoot, Brown, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Clinard, Collis, Copeland, Crawford, Darden, Dickey, Drake, Dudley, Dunham, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Grayson, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Johnson of Edgecombe, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Lyon, Martin, Mabson, Maxwell, McAllister, McCauley, Morgan of Montgomery, Morgan of Wake, Mitchell, Newsom, Nisson, Page, Paylor, Powell, Rankin, Reavis, Regan, Robbins, Shull, Smith of Halifax, Smith of Wayne, Sparrow, Stewart, Tucker, Tomlinson, Waring, Withers, Willis, Womack, Woodhouse, Williamson, Young of Wake and York—81.

Noes—Messrs. Anderson, Hampton, Johnston of Buncombe, Marler, Robinson and Stanford—6.

A message was received from the Senate, transmitting and asking concurrence of the House in the passage of S. B. No. 226, for relief of sheriff of Alexander. On motion of Mr. Carson, the rules were suspended and bill passed second and third reading and ordered to be enrolled.

Also, S. B. No. 236, authorizing commissioners of Davidson county to appoint a tax collector, which, upon motion of Mr. Clinard, the rules were suspended and the bill passed second and third readings and ordered to be enrolled.

Mr. Welch, by consent, introduced a bill incorporating the town of Waynesville.

On motion of Mr. Waring, the rules were suspended and H. B. No. 225, changing time for holding courts in 9th Judicial District, was taken up, and passed second and third readings, and ordered to be engrossed.

On motion of Mr. Anderson, the rules were suspended and H. B. No. 168, authorizing Commissioners of Clay to levy special tax on third reading, passed, and ordered to be engrossed. Ayes 79; Noes 1.

Ayes—Messrs. Anderson, Armstrong, Ashe, Broadfoot, Brown, Bryson, Buxton, Carson, Clinard, Copeland, Currie, Darden, Dickey, Drake, Dudley, Duckworth, Dunham, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Lyon, Mabson, Marler, Maxwell, McAllister, McCauley, Morris, Morgan of Montgomery, Mitchell, Newsom, Nisson, Page, Phillips, Paylor, Rankin, Reavis, Regan, Robbins, Robinson, Shull, Smith of Halifax, Sparrow, Stanford, Stewart, Tomlinson, Waring, Welch, Withers, Willis, Wilcox, Womack, Williamson, Young of Wake and York. —79.

Noes—Mr. Bryant—1.

Mr. Grayson, by consent, introduced a petition and bill to change name &c., of Rutherford Seminary. Referred to committee on corporations.

On motion of Mr. Cawthorn, the rules were suspended and H. B. No. —, to incorporate Warrenton Railroad Company, was taken up, and passed second and third readings, and ordered to be engrossed.

On motion of Mr. Scott, the rules were suspended and S. B. 64, to incorporate Wilmington and Onslow Railroad, was taken up. Mr. Scott moved to amend by striking out section 13, and

inserting clause making bill operative from November 21st, 1870.

Amendment adopted and bill passed 2nd reading. Ayes 83; Noes none.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Dudley, Duckworth, Dunham, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Grayson, Hampton, Hargrove, Henderson, Houston, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Lyon, Martin, Marler, Maxwell, McAllister, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Phillips, Paylor, Reavis, Reid, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker, Tomlinson, Waring, Welch, Withers, Willis, Wilcox, Womack, Woodhouse and Williamson—83.

Noes—None.

A message was sent informing the Senate that the House had passed H. B. No. 47, to incorporate W. N. C. R. R. and Manufacturing Company, and had concurred in Senate amendment to S. B. 245, and had amended it by adding a ratification section, asking concurrence in its action. Also asking return of H. R. No. 94, relating to University.

On motion the House adjourned.

SATURDAY, JANUARY, 21st, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Burkhead.

The Journal of yesterday read and approved.

Mr. Robinson, from committee on Enrolled Bills, reported "bill for relief of sheriff of Alexander," "An act to empower commissioners of Davidson to appoint tax collector," and "Act to alter chap. 6, of Revised Code," correctly enrolled.

Mr. Jordan, from Judiciary Committee, reported favorably on H. B. No. 174, concerning witnesses before justices courts, and H. B. 240, relating to transfer of suits from County to Superior Courts.

Mr. McNeill, from committee on Propositions and Grievances, reported favorably on S. B. 86, in favor of R. M. Stafford sheriff of Guilford, and on H. B. No. 230, in favor of J. M. Roane, sheriff of Macon.

Mr. McCauley, from committee on Counties, Towns, &c., reported adversely to H. B. No. 227, to have public roads worked by taxation, and favorably on H. B. 249, to authorize levy of special tax in Polk County, on H. B. No. 232. to authorize commissioners of Macon to levy special tax, and on S. B. 217, in relation to vacancies in county offices.

INTRODUCTION OF BILLS.

By Mr. Newsom. A bill "for collecting arrears of taxes in Hertford county by ex-sheriff.

By Mr. Jordan. A bill for better government of Penitentiary, which was read and

On motion of Mr. Sparrow, ordered to print and referred to committee on Penal Institution.

Mr. Woodhouse. A bill to authorize levy of special tax in Currituck, with memorial. Referred to committee on counties, towns, &c.

By Mr. Jones, of Caldwell. A bill for relief of Ray, sheriff of Wake county, read and, by request, referred to committee on judiciary.

By Mr. Dickey. A bill to incorporate the Hiawassee and Cheoah Turnpike Company, read and referred to committee on internal improvements.

By Mr. Robinson. A bill to incorporte Tennessee River Turnpike Road. Read and referred to committee on internal improvements.

By Mr. Bryson. A bill to incorporate Forney's Creek Turnpike Company. Read and referred to internal improvement committee.

By Mr. Kelsey. A bill regarding notice for changing county lines, read first time and referred to committee on counties and towns.

By Mr. Collis. A bill "to repeal an act of present Legislature impeaching Governor W. W. Holden." Referred, by request, to committee on propositions and grievances.

Mr. Dudley. Bill to authorize commissioners of Craven to levy special tax for building bridge across Trent river. Read and referred to committee on propositions and grievances.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. No. 168, authorizing Commissioners of Clay to levy special tax, and H. B. No. 213, to make failure to work on roads a misdemeanor, H. B. No. 217, to incorporate the Warrenton Railroad Company, correctly engrossed.

On motion of Mr. Brooks, the rules were suspended and H. B. No. 115, to legalize acts of Justices of the Peace in Brunswick county, was taken up and passed second and third readings and ordered to be engrossed.

By Mr. Houston, the rules, on motion, were suspended and H. B. No—, requiring sheriffs to pay education moneys to County Treasurers was taken up.

Committee reported amendments by striking out section 6th and inserting section — requiring Public Treasurer to pay education money due to county Treasurer.

Mr. Hill moved to refer to committee on Education.

Mr. Sykes, to amend by reference to Judiciary Committee. mittee.

Mr. Sparrow moved to postpone to Wednesday and print , and motion prevailed.

Motion of Mr. Stanford, to suspend the rules to take up bill creating county of Pamlico was lost.

On motion of Mr. Kelsey, the rules were suspended and H. R. No. 135, was taken up and referred to committee on internal improvements.

A message was received from the Senate transmitting and asking concurrence in the passage of S. B. No. 249, for election of tax collector of Lincoln; S. B. No. 19, in relation to salaries and fees of State officers; S. B. No. 265, for relief of Penitentiary; S. B. No. 266, empowering United States government to purchase and hold lands for purposes of Lighthouse; also that Senate had concurred in House amendment to H. B. 105, to amend chapter 167, laws of 1868–'69.

On motion of Mr. Jordan, the rules were suspended and S. B. No. 265, for relief of Penitentiary, was taken up.

Mr. Jordan moved to amend by striking out $6000 and inserting $15000. Amendment adopted and bill passed second and third readings, and engrossment ordered at once, and a message was sent transmitting the same, and asking concurrence of Senate in the amendment.

On motion of Mr. Sparrow, the rules were suspended, and S. B. "authorizing the purchase of Lighthouse site by United States government" was taken up, and passed second and third readings, and ordered enrolled.

Mr. Welch, by consent, introduced a resolution "authorizing the Governor to offer reward of $5,000 for arrest of M. S. Littlefield."

Mr. Robinson moved to amend, by striking out $5,000 and insert $1,000. Mr. Grayson, to amend amendment by inserting $500. Amendment to amendment did not prevail.

Mr. Robinson's amendment did not prevail, when Mr. War-

ing moved to amend by inserting "not to exceed" before the words "five thousand dollars.

The hour for special order having arrived,

Mr. Justice offered a substitue for H. B. 166, to repeal certain ordinances of convention, and moved to refer the bill and substitute to Judiciary Committee. Referred.

Mr. Welch called the previous question on his resolution, when Mr. Waring's amendment was lost and resolution passed second reading, and Mr. Welch called ayes and noes on third reading. The call was sustained and resolution passed. Ayes 98; Noes none.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Dudley, Duckworth, Dunham, Ellison, Faulkner, Fisher, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwin, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Lyon, Martin, Mabson, Marler, Maxwell, McAllister, McNeill, Mitchell, Newsom, Nicholson, Nisson, Phillips, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Sykes, Tucker, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse, Williamson and York—98.

Noes—None.

Mr. Bryson moved to reconsider the vote by which the resolution passed third reading and to lay the motion on the table Motion prevailed to table.

Mr. Jones moved to reconsider the vote by which H. R. No. 94, passed its third reading. Not in order.

A message was sent to Senate transmitting and asking con-

currence in the passage of a resolution authorizing the Governor to offer five thousand dollars reward for arrest of M. S. Littlefield.

Also a message from the Governor relating to same subject.

On motion of Mr. Martin, the rules were suspended, and H. B. No. 218, was taken up, (to regulate the size of fish barrels.)

Mr. Dudley moved to amend, by making the heads 17 instead of 15 inches in clear.

Mr. Martin moved to recommit.

Mr. Guyther to amend, by referring to special committee of members from first, second and third Congressional Districts. Withdrawn, and the bill was recommitted to committee on propositions and grievances.

Mr. Jordan, from Judiciary Committee, by consent, reported on S. B. No. 39, substituted by H. B. No. 216, to suspend Code of Civil Procedure in certain cases, recommending passage of substitute with amendments; and on motion of the same, the rules were suspended and amendment reported from Judiciary Committee concurred in, and substitute was adopted, when Mr. Johnston, of Buncombe, offered a substitute for substitute, which was not adopted, and bill passed 2d and 3d readings and ordered to be engrossed and sent to Senate.

A message was received from the Senate informing the House that the Senate had concurred in amendments to S. B. No. 265, "for relief of Penitentiary."

Mr. Johnston, of Buncombe, by consent, introduced a resolution condemnatory of the action of Harrison Reid, Governor of Florida, in matter of arrest of M. S. Littlefield.

On motion of Mr. Strudwick, the resolution was referred to judiciary committee.

On motion of Mr. Robinson, the rules were suspended and H. B. No. 164, to amend chapter 2d, sections 14 and 15 of Revised Code of North Carolina was taken up, when he offered amendments making salary of Assistant State Geologist $1,500.

Mr. Powell moved to make bill special order for Wednesday at 11 o'clock, a. m. Motion prevailed.

Mr. Sykes moved to adjourn. Motion lost.

On motion of Mr. Scott, the rules were suspended and S. B. No. 64, "to incorporate Wilmington and Onslow Railroad Company" was taken up and passed 3d reading. Ayes 84; Noes 1.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryant of Halifax, Bryson, Cawthorn, Carson, Clinard, Collis, Copeland, Crawford, Currie Darden, Dickey, Drake, Dudley, Dunham, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Grayson, Hampton, Harris of Guilford, Hargrove, Hardy, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Mabson, Marler, Maxwell, McAllister, McNeill, Morris, Mitchell, Newsom, Nicholson, Nisson, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker, Tomlinson, Waring, Welch, Withers, Willis, Wilcox, Womack, Woodhouse, Williamson and York—84.

Noes—Mr. Sykes—1.

On motion of Mr. Page, the House adjourned.

MONDAY, January 23rd, 1871.

The House met at 10 a. m., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Grayson of the House.

Journal read and approved.

REPORTS OF COMMITTEES.

Mr. Jordan, from Judiciary, reported favorably on S. B. No. 135, "to prohibit justices from practicing as attorneys;" recom-

mending indefinite postponement of H. B. No. 30, "in regard to portion of Governor's message," and adversely to H. B. No. 211, "to empower Justices to take privy examination of *femes covert*."

Mr. Broadfoot, from committee on Corporations, reported favorably on H. B. No. 241, "concerning Rutherford Seminary."

Mr. McCauley, from committee on Counties, Towns, &c., reported favorably on H. B. 219, "for levying special tax in Perquimans county," and a proviso to H. B. No. 153, "to establish the county of Pamlico," and adversely to H. B., "to change the line of counties of Clay and Macon."

Mr. Crawford, from committee on Engrossed Bills, reported H. B. No. 115, "to legalize acts of Justices of the Peace in Brunswick county," as correctly engrossed. Also, H. B. No. 225, "regarding change of time for courts in 9th Judicial District."

Mr. Robinson in the chair.

INTRODUCTION OF BILLS.

By Mr. Robbins, "a bill to prevent fishing on Sabbath days." Referred to committee on counties, towns &c.

By Mr. Withers, "to extend time for registration of grants, deeds," &c. On calendar.

By Mr. Dickey, a bill "to amend the charter of Cheoah Turnpike Company." Read and referred to committee on internal improvements.

By Mr. Page, bill "to authorize Commissioners of Chowan to levy a special tax." Referred to committee on propositions and grievances.

By Mr. Nicholson, a bill "to establish a turnpike road from Statesville to Mount Airy." Referred to committee on internal improvements.

A message was received and read from His Excellency the Governor, giving information relative to certificates of bonds issued to Geo. W. Swepson. Calendar.

CALENDAR.

On motion of Mr. Withers, the rules were suspended, and bill "to extend time for registration of grants, deeds," &c., was taken up and passed second and third readings, and ordered engrossed.

Special order, on motion of Mr. Hargrove, was postponed for 30 minutes.

Mr. Currie, from committee on Enrolled Bills, reported "an act in relation to punishment, chapter 167, of laws of 1868–'69;" "an act for relief of the Penitentiary;" "an act to empower the United States government to purchase and hold lands for purposes of a Lighthouse," and "an act to suspend the Code of Civil Procedure in certain cases," as correctly enrolled.

Mr. Jones, of Caldwell, by consent, introduced a resolution "regarding the University."

By Mr. Jordan. (Upon a question of privilege.) A resolution with a communication from certain temperance men regarding attendance on celebration. On calendar.

When on motion of Mr. Jones, the rules were suspended and resolution regarding the University was taken up and adopted.

On motion of Mr. Marler, the rules were suspended, and H. B. No. 48, in relation to voting on separate ballot was taken up. Mr. Page moved to amend by striking out section 1st. Amendment did not prevail.

Mr. Lyon moved to postpone consideration to the first day of February at 11 o'clock. Motion lost.

On motion of Mr. Johnston, of Buncombe, it was made special order for 11 o'clock Thursday next.

Mr. Settle, by permission, introduced a resolution to au-

thorize Public Treasurer to refund certain moneys to K. W. Patterson, sheriff of Rockingham. Referred to committee on propositions and grievances.

The hour for special order, concerning a Convention of the People having arrived, Mr. Johnston moved to consider by section; motion prevailed. When Mr. Dudley moved to postpone indefinitely and called the ayes and noes, the call was sustained, when Mr. Justice rose to the point of order. That same motion had been lost by vote of the House on second reading. The point was not sustained, and motion to postpone lost. Ayes 34; Noes 63.

Ayes—Messrs. Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Lyon, Mabson, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Willis, Williamson and Young of Wake—34.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Carson, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Grayson, Gregory, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Maxwell, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—63.

Mr. Hargrove moved to amend by inserting "two-thirds of the members of both houses of the General Assembly concurring."

When Mr. Strudwick moved that the House adjourn to

hear the response of W. W. Holden, Governor, to House Articles of Impeachment against him. Motion prevailed and House adjourned.

TUESDAY, January 24th, 1870.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Dr. Atkinson.

Journal read and approved.

MEMORIALS.

By Mr. Mitchell, a memorial from Samuel M. Hughes against Judge of 8th Judicial District. Referred to judiciary committee.

REPORTS OF COMMITTEES.

Mr. Brown, from committee on Agriculture, reported adversely to a bill "making ten hours a day's work."

Mr. Crawford, from committee on Engrossed Bills, reported H. B. 270, "to extend the time for registration of deeds, grants," &c., as correctly engrossed.

RESOLUTIONS INTRODUCED.

By Mr. Darden, a "resolution regarding adjournment." On calendar.

By Mr. Brown, a resolution "requiring report from State Geologist." On calendar.

By Mr. Gatling, a resolution "to ascertain the State debt." On calendar.

BILLS.

By Mr. Anderson, a bill "to amend an act to establish burnt records in Clay," (reinstating suits.) On calendar.

By Mr. Kelly, of Davie, "a bill making South Yadkin river a lawful fence." On calendar.

By Mr. Crawford, "a bill to amend sec. 1, chap. 166, of laws of 1870," (26th March,) was read. Referred to committee on internal improvements.

By Mr. Johnston, of Buncombe, a memorial from citizens of Asheville, with a bill "concerning the sale of liqoar in the town of Asheville." Referred to committee on corporations.

By Mr. Wilcox, a bill "to lay off a road in Ashe county." Referred to committee on counties, towns, &c.

By Mr. Rankin, a bill "to incorporate the town of Gibsonville, in Guilford." Referred to committee on corporations.

Mr. Stewart, by consent, a "resolution in favor of J. R. Grady, sheriff of Harnett." Referred to committee on proposition and grievances.

Mr. Robinson, from committee on Enrolled Bills, reported bill "to authorize sheriffs to collect arrears."

Resolution "instructing the Governor to offer reward for arrest of M. S. Littlefield;" and bill to incorporate the Wilmington and Onslow Railroad Company, as correctly enrolled and they were ratified.

Mr. Jordan, from committee on Penal Institution, reported favorably on S. B. 42, "in relation to poor house in Lincoln."

Mr. McCauley, from committee on Counties, reported on H. B. No. 232, "to legalize election held in Hendersonville, January 2d, 1871."

CALENDAR.

The unfinished business was, upon motion of Mr. Sparrow, postponed for 30 minutes, and on motion of the same the rules were suspended, and "Replication of the Managers of Impeachment against William W. Holden, Governor," to the answer of same to Articles of Impeachment was offered.

Mr. Sykes called the ayes and noes on the reception of Replication, and it was received. Ayes 61; Noes 39.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Carson, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Gore, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tomlinson, Waring, Welch, Withers, Womack and Woodhouse—61.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—39.

Replication *by the House of Representatives of the State of North Carolina, to the answer of* William W. Holden, *Governor of the State of North Carolina, to the Articles of Impeachment exhibited against him by the House of Representatives.*

The House of Representatives of the State of North Carolina have considered the several answers of William W. Holden, Governor of North Carolina, to the several articles of impeachment against him by them exhibited in the name of themselves and all the people of said State, and reserving to themselves all advantage of exception to the insufficiency and irrelevancy of his answer to each and all of the several articles of impeachment exhibited against said William W. Holden, Governor of said State, do deny each and every averment in said several answers or either of them, which denies or traverses the acts,

intents, crimes, misdemeanors, offences or misconduct charged against said William W. Holden in said articles of impeachment or either of them; and for replication to said answer do say that said William W. Holden, Governor of said State, is guilty of the high crimes, misdemeanors and offences mentioned in said articles, and that the House of Representatives are ready to prove the same.

(Signed) THOS. J. JARVIS,
Speaker of House of Representatives.

Test:

W. W. GAITHER, Clerk.

Mr. Jordan, by consent, introduced a resolution instructing the Clerk to transmit a message informing the Senate of the adoption of replication to answer of William W. Holden, and such message was sent.

On motion of Mr. Brown, the rules were suspended and resolution requiring report of State Geologist was taken up and adopted.

A message was received from the Senate, transmitting and asking the concurrence in the passage of S. B. 282, a bill "for the relief of S. A. Kelly, sheriff of Davie." (Referred to committee on propositions and grievances.)

S. B. 256, a bill "for relief of Wilmington C. and Rutherford R. R." Referred to committee on internal improvements.

A message was received from the Public Treasurer, relative to certificates of bonds issued to George W. Swepson. On calendar.

A message was sent transmitting to the Senate, H. B. No. 225, "to change the time for holding courts in the 9th judicial district."

H. B. 115, "to legalize acts of Justices in Brunswick," and H. B. 270, "to extend the time for registration of deeds, grants, &c.," and asking concurrence in the passage of the same.

The unfinished business was resumed, being Mr. Hargrove's

amendment to 1st section of Convention bill, when, after long discussion, Mr. Martin moved to adjourn—withdrawn.

Mr. Justice renewed the motion. Lost.

A message was received from the Governor in relation to report of A. W. Woodfin, on account of Western Division of W. N. C. R. R. Placed on calendar.

The following announcement was ordered from the chair :

Mr. Withers is added to committees on Judiciary, Privileges and Elections and Salaries and Fees.

Mr. McAllister, to committees on Finance Claims and Corporations; Mr. Drake, to committees on Claims and Corporations, and Mr. Paylor, to committee on Propositions and Grievances and Counties and Townships.

Mr. Johnston, of Buncombe, by consent, introduced a memorial and bill to establish the county of Swain. Referred to committee on counties, cities and towns.

On motion of Mr. Sparrow, the House adjourned.

WEDNESDAY, January 25th, 1871.

The House met at 10 A. M. Mr. Speaker Jarvis in the chair. Prayer by Rev. Dr. Mason.

Journal read and approved.

REPORTS OF COMMITTEES.

Mr. McCauley, from committee on Counties, Towns, &c., reported favorably on H. B. 266, to prevent fishing on the Sabbath; H. B. No. 275, to incorporate the town of Gibsonville, to be amended by striking out "shall be a magistrate of Rock Creek township;" H. B. 258, regarding notice of applying for change of county lines; H. B. 255, to allow sheriff of Hertford to collect arrears of taxes, and H. B. 262, to allow the Commis-

sioners of Currituck to levy a special tax, and H. B. 276, to establish a road in Ashe county.

Mr. Hill, from committee on Education, reported on S. R. No. 131, in regard to a system of public instruction, favorably.

RESOLUTIONS.

By Mr. Copeland. A resolution in favor of two sessions daily. On calendar.

By Mr. Powell. A resolution calling for committee to investigate alleged misconstruction of Chatham Railroad. On calendar.

By Mr. Dunham. A resolution asking correspondence of Governor with journal of Council of State, and report from Adjutant General for 1869–'70.

By Mr. Withers. A resolution authorizing reward by the Governor for arrest of Robeson county outlaws. On calendar.

BILLS.

By Mr. Stewart. A bill authorizing the levy of a special tax in the county of Harnett. Referred to committee on propositions and grievances.

By Mr. Dickey. A bill, with memorial from citizens of Cherokee, for the formation of a new county to be named "Lee."

By Mr. Wilcox. A bill, "to incorporate the town of Jefferson, in Ashe county." Referred to committee on corporations.

By Mr. Waring. A bill "requiring sheriffs to advertise sale of real estate in newspapers." Referred to judiciary committee.

CALENDAR.

On motion of Mr. Johnston, of Buncombe, the unfinished business was deferred for twenty minutes, when Mr. Dunham

moved to suspend the rules, which prevailed, and resolution "asking letter book of Governor's journal of Council of State and report from Adjutant General," was taken up and adopted.

On motion of Mr. Powell, the rules were suspended and resolution appointing a "Committee to investigate misconstruction of Chatham Railroad" was taken up and adopted, and the following committee was appointed. Messrs. John A. Womack, E. B. Withers, S. F. Phillips, T. L. Hargrove and S. A. Ashe.

On motion of Mr. Brown, the rules were suspended and vote by which the resolution asking report of State Geologist passed, was reconsidered, and on motion of same, the resolution was amended instructing Clerk of the House to inform State Geologist of action of the House.

On motion of Mr Withers, the rules were suspended and resolution offering reward for Robeson county outlaws was taken up, and on motion of Mr. Martin, referred to judiciary committee.

Mr. Robinson, from committee on Enroled Bills, reported a resolution "in favor of the sheriff of Stokes," and "an act to authorize J. C. Griffith sheriff of Caswell, to collect arrears of taxes," as correctly enrolled, and they were ratified.

On motion of Mr. Robinson, H. B. 164 "to amend Revised Code, chapter 2, sections 14 and 15," was made special order for Monday at 11 o'clock.

On motion of Mr. Ashe, the unfinished business was postponed ten minutes, and H. R. No. 102, "in favor of V. V. Richardson" was taken up and passed 2nd and 3d readings, and ordered to be engrossed.

The unfinished business was taken up, being amendment of Mr. Hargrove to section 1st of bill to call a Convention of the people, upon which Mr. Dudley called the ayes and noes on its adoption. The call was sustained and the amendment lost. Ayes 42; Noes 58.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland,

Darden, Dudley, Ellison, Faulkner, Fletcher, Garrison, Gatling, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—42.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Clinard, Crawford, Currie, Duckworth, Dunham, Furr, Gore, Grayson, Gregory, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Rankin, Reid, Regan, Robbinson, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—58.

Mr. Justice moved to amend by striking out the order for the election of delegates, and that the Governor order election of same (should the people order a Convention,) and called the ayes and noes. The call was sustained and amendment lost. Ayes 37; Noes 66.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Dudley, Faulkner, Fletcher, Garrison, Goodwyn, Guyther, Harris of Franklin, Hardy, Hargrove, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Tucker, Willis, Williamson and Young of Wake—37.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gore, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of

Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—66.

When Mr. Justice moved to strike out "March" and insert "August."

Mr. Dunham to amend, by inserting 30th March, instead of first Thursday of March, when

Mr. Justice called the ayes and noes on his amendment, and amendment was lost. Ayes 38; Noes 63.

Ayes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fletcher, Garrison, Gatling, Goodwyn, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—38.

Noes—Messrs. Anderson, Armstrong, Ashe, Atkinson, Broadfoot, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gore, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—63.

Mr. Johnston called the previous question.

Mr. Mabson called the ayes and noes, when the previous question was withdrawn, and

Mr. Mabson moved to amend amendment by striking out March and insert May.

Mr. Jones moved to lay last motion on the table. Motion lost, and amendment to amendment lost, when amendment striking out first Thursday and insert 30th prevailed, and section as amended passed.

Section 2 was then read and adopted without amendment.

Section 3 was then read, and Mr. Dunham moved to amend by striking out 24th of March and insert 20th of April. Adopted, and by same to amend by striking out 3rd Monday in April and inserting 2d Monday in May; and section 3 as amended, was adopted.

Section 4 was then read and adopted without amendment.

Section 5 was then read, and Mr. Morgan moved to amend by striking out all of section 5 after "revised list," in line 18, and called the ayes and noes. The call was sustained and amendment was lost. Ayes 39; Noes 64.

Ayes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fletcher, Garrison, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newson, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—39.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Brown, Bryson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gore, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Reagan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Standford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—64.

When Mr. Dunham moved to amend line 4, striking out "February" and insert "March."

Mr. Dudley moved to adjourn. Motion lost.

When Mr. Dunham's amendment was adopted, and section as amended was adopted.

Section 6th was then read, when Mr. Willis moved to amend by striking out "presiding officer of Convention" and insert "the Governor." Amendment lost and section adopted.

Section 7 was then read and adopted.

Section 8 was read and adopted.

Section 9 was read and adopted.

Section 10 was read, when Mr. Dunham moved to amend by striking out all that part which prohibits interference with the meetings of this body. The amendment was adopted, when Mr. Johnston, of Buncombe, moved a substitute for Mr. Waring's amendment referring to decision of Supreme Court on homestead law, which was adopted. Mr. Page moved to amend by striking out in line 12 all to and including the word condition in 13th line.

Mr. Johnston, of Buncombe, called the ayes and noes, the call was sustained and amendment lost. Ayes 1 ; Noes 99.

Ayes—Mr. Brooks—1.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Brown, Bryant of Halifax, Bryson, Buxton, Cawthorn, Carson, Clinard, Collis, Crawford, Currie, Darden, Dickey, Drake, Dudley, Duckworth, Dunham, Ellison, Faulkner, Fletcher, Furr, Garrison, Gatling, Goodwyn, Gore, Grayson Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Lyon, Martin, Mabson, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Wake, Mitchell, Newsom, Nicholson, Nisson, Page, Phillips, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson,

Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Stewart, Strudwick, Sykes, Tomlinson, Waring, Welch, Withers, Willis, Wilcox, Womack, Woodhouse, Williamson, Young of Wake and York—99.

Mr. Hargrove moved to amend by inserting, nor shall the Convention have power to pass any ordinances to abolish or in any way interfere with the jurisdiction of the present Supreme Court, in line 34 after the word assembly, and called the ayes and noes, the call was sustained.

When a message was received from his Excellency the Governor, concerning letter book of the Executive, which was placed on the calender.

The ballot was then taken and the amendment lost. Ayes 34; Noes 65.

Ayes——Messrs. Brooks, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Dudley, Ellison, Faulkner, Fletcher, Garrison, Goodwyn, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—34.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Brown, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gore, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Pitt, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—65.

When Mr. Johnston, of Buncombe, moved to reconsider the vote by which his amendment to section ten was adopted; which motion prevailed, and he offered the following as a sub-

stitute to Mr. Waring's amendment: "And said Convention shall insert a clause in said Constitution depriving the Supreme Court of the State of all power or jurisdiction to reverse, modify or change in any way, the present decision of said court on the Homestead clause of the present Constitution.

Substitute was adopted, and section as amended was adopted

Section 11 was read and adopted.

Section 12 was read, when Mr. Dunham moved to amend by striking out 1870 and insert 1871. Adopted, and section as amended was adopted.

Section 13 was read and adopted.

Section 14 was read and adopted without amendment.

Section 15 was read, when Mr. Hargrove moved to amend by striking out "two" and insert "ten." Motion prevailed, and section adopted.

Section 16 was then read and adopted.

A message was received from the Senate, transmitting and asking concurrence in the passage of S. B. No. 41, repealing and amending certain sections in chapter 270 of laws of 1868–'69, and S. B. No. 197, to incorporate the town of "Stonewall," in Craven county. Referred to committee on corporations.

Mr. Dunham, by consent, introduced a resolution requesting letter book from the Executive, &c. Rules were suspended and resolution passed second and third readings, and transmitted to the Senate.

On motion of Mr. Robinson, it was ordered that Convention bill, with substitute offered by Mr. Justice, and amendments adopted, be printed.

When on motion the House adjourned.

THURSDAY, January, 26th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Hardy of the House.

Mr. Brooks, by consent, changed his vote on Mr. Page's amendment to the Convention bill, making the vote in the negative unanimous.

Mr. Justice rose to a question of privilege, correcting article in the *Sentinel* referring to Mr. Page's amendment to section 12 of Convention bill.

REPORTS OF COMMITTEES.

Mr. Jordan, from Judiciary Committee, reported adversely on H. B. 187, in relation to assault and battery; H. B. No. 186, asking discharge from further consideration; on H. B. No. 141, to provide another mode of taking depositions in courts, favorably; and a substitute for H. B. 161, to investigate charges of bribery and corruption.

Mr. Luckey, from Joint Committee on Insane Asylum, reported on communications from officers of Asylum, and recommended levy of special tax for extension of accommodations.

On motion of Mr. Tomlinson, the report was ordered to be printed.

Mr. Henderson, from committee on Corporations, reported favorably on S. B. No. 193, to amend chapter 122, section 3, private laws of 1869–70; H. B. No. 163, to incorporate Clay Lodge, A. Y. M.; H. B. No. 247, to incorporate Blue Ridge Academy; S. B. No. 134, concerning debts of municipal corporations; and adversely to H. B. No. 229, concerning the Reliance Bucket and Axe Company of Newbern.

Mr. McNeill, from committee on Propositions and Grievances, reported favorably on H. R. No. 112, in favor of W. T. A. Strange, of Cherokee; H. B. No. 215, to incorporate M. E. S. S. S. Society of Newbern; H. B. No. 184, to make Deep

river a lawful fence in certain places; and a substitute to H. B. No. 122, to prevent felling of trees in Carraway creek, in Randolph county.

RESOLUTION INTRODUCED.

By Mr. Scott. A resolution concerning amendment to article 8 of impeachment articles against W. W. Holden, Governor. On calendar.

BILLS INTRODUCED.

By Mr. Smith, of Anson. A bill to amend Code of Civil Procedure, chapter 11, sections 400 and 78. Read and referred to judiciary committee.

By Mr. Broadfoot. A bill to amend an act to lay off Homestead and Personal Property exemption, ratified April 7th, 1869. Read first time and referred to judiciary committee.

By Mr. Tomlinson. A bill for the protection of wool growing interest. Read and placed on calendar.

By Mr. Sykes. A bill to authorize sheriff of Pasquotank to collect arrears of taxes. Read and referred to committee on finance.

By Mr. Martin. A bill to amend chapter 33 of laws of 1858–'59. Read and referred to committee on propositions and grievances.

Mr. Robinson, from committee on Enrolled Bills, reported replication by the House of Representatives of the State of North Carolina to answer of William W. Holden, Governor, to the articles of impeachment; an act to incorporate the Warrenton Railroad Company; and an act to repeal an act to change part of the line between Burke and McDowell counties as correctly enrolled, and they were ratified.

By Mr. Crawford. A bill "granting witnesses *per diem* and mile." Read and referred to judiciary committee.

By Mr. Luckey. A bill "in relation to the Lunatic Asylum,"

(repealing and re-enacting acts in regard to the asylum.) Read and referred to joint committee on asylum.

By Mr. Ashe. A bill to amend section 12, chapter 42 of Revised Code, referring to grants, &c. Read and referred to judiciary committee.

Mr. Rankin, by consent, reported from committee on Salaries and Fees, on S. B. No. 79, "in relation to salaries and fees of State officers." Recommending amendments to sections 1st, 2d, 3d, 4th and 12th.

Mr. Robinson in the Chair.

The unfinished business being a bill "to call a Convention of the People," was, upon motion of Mr. Scott, suspended for five minutes and resolution "to amend article 8 of articles of impeachment, was adopted."

The unfinished business was taken up, when Mr. Sykes moved to amend section 12, by inserting after the word I, in line 7, "am not a member of any oath-bound or pledged, secret, political or military organization, and that I will," and called the ayes and noes. The call was sustained and amendment lost. Ayes 41; Noes 59.

Ayes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Martin, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Womack, Williamson and Young of Wake—41.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gatling, Gore, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill,

Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Reagan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Stanford, Welch, Withers, Wilcox, Woodhouse, Young of Yancey and York—59.

When Mr. Justice offered a substitute for the bill in H. B. No. 286, "to amend the Constitution of the State of North Carolina," when, after long discussion, he called the ayes and noes on its adoption; the call was sustained and the substitute was not adopted. Ayes 42; Noes 65.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—42.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gore, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Pitt, Jordan, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse, Young of Yancey and York—65.

By Mr. Johnston, of Buncombe, an amendment was offered to line one, section 15, striking out State Printer and insert Joint Committee on Printing. Amendment was adopted.

Mr. Jones, of Caldwell, moved to amend by striking out in line 1st, section 4, the words "delegates as," and amendment was adopted.

A message was received from the Senate transmitting and asking concurrence in the passage of S. B. No. 200, "to suspend special courts in Craven and Lenoir counties." Referred to judiciary committee.

Also, S. B. No. 9, "to repeal an act to extend the corporate limits of Lumberton," and S. B. No. 243, "an act in relation to fees of county officers and clerk of Supreme Court." Also, copy of amendments to H. R. No. 102, "in favor of V. K. Richardson, sheriff of Columbus county." On calendar.

When on motion, the House adjourned.

FRIDAY, JANUARY 27th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Dr. Pritchard of the city.

The journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. McNeill, from committee on Propositions and Grievances, reported adversely to H. B. No. 253, "authorizing Commissioners of Craven to levy special tax to build bridge across Trent river."

Mr. Welch in the chair.

INTRODUCTION OF RESOLUTIONS.

By Mr. Anderson, a resolution "in favor of G. G. Bristol, tax collector of Clay." Read and placed on the calendar.

By Mr. Copeland, a resolution "in favor of adjournment." Read and placed on the calendar.

BILLS.

By Mr. Sparrow, a bill "to amend sections 11, 16 and 19,

chapter 785, of acts of 1868 and '69." Read and referred to judiciary committee.

By Mr. Sparrow, a bill "referring to writ of *mandamus*." Read first time and referred to judiciary committee.

By Mr. Gullick, a bill "authorizing commissioners of Gaston to levy special tax for building a bridge." Passed first reading and referred to committee on propositions and grievances.

UNFINISHED BUSINESS.

The unfinished business being a bill to call a Convention of the people was taken up, when

Mr. Kelsey moved to amend section 12, line 10, by striking out "Constitution" and insert "Convention," Adopted.

Mr. Page, to amend section 10, line 23, after the word State, insert "to hold office," and called the ayes and noes, when the amendment was withdrawn by consent of the House.

A message was received from the Governor, transmitting the letter book of W. W. Holden, Governor, and Journal of Council of State; also a message referring to the information concerning spies, informers, &c. Both placed on the calendar.

Mr. Robinson in the chair.

After much discussion, Mr. Johnston, of Buncombe, called the previous question on passage of the bill concerning a Convention; the call was sustained, when Mr. Hargrove called the ayes and noes on the 3d reading of the bill; the call was sustained and the bill as amended passed 3d reading. Ayes 65; Noes 46.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Maxwell, McAfee, McAllister,

McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Woodhouse, Young of Yancey and York—65.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Darden, Dudley, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwyn, Guyther, Hampton, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Johns, Jones of Northampton, Justice, Lyon, Mabson, Marler, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Settle, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—46.

Mr. Harris, of Franklin, by consent, introduced a bill "to amend section 1st, chapter 168 of public laws of 1869–'70." On calendar.

Mr. Dunham, a resulution "instructing the Public Treasurer not to pay warrants to military employees in 1870," and moved to suspend the rules to put the resolution on its passage. The rules were suspended, and Mr. Robinson called the ayes and noes on 2d reading. The call was sustained and resolution passed 2d reading. Ayes 76; Noes 22.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryson, Cawthorn, Carson, Clinard, Copeland, Crawford, Currie, Dickey, Drake, Dunham, Fletcher, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hardy, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Mabson, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Mitchell, Nicholson, Paylor, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart,

Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Woodhouse and York—76.

Noes—Messrs. Bryant of Halifax, Bunn, Collis, Dudley, Ellison, Fisher, Goodwyn, Hargrove, Johnson of Edgecombe, Jones of Northampton, Lyon, Mabson, Morgan of Wake, Nisson, Page, Phillips, Reavis, Robbins, Tucker, Willis, Williamsom and Young of Wake—22.

Mr. Hargrove moved to postpone indefinitely, further consideration of resolution, and called the ayes and noes. The call was sustained and motion lost. Ayes 22; Noes 63.

Yeas—Messrs. Bryant of Halifax, Bunn, Buxton, Collis, Copeland, Dudley, Ellison, Fisher, Goodwyn, Hargrove, Hardy, Jones of Northampton, Lyon, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Reavis, Robbins, Tucker, Willis and Williamson—22.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkkinson, Brooks, Broadfoot, Brown, Bryson, Clinard, Crawford, Currie, Darden, Dickey, Drake, Dunham, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Rankin, Reid, Regan, Robinson, Settle, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Strudwick, Tomlinson, Welch, Withers, Wilcox, Woodhouse and York—63.

Mr. Dunham moved to suspend the rules to pass H. R. No. 164, on third reading, when

Mr. Hargrove called the ayes and noes. The call was sustained, and the rules were suspended. Ayes 62; Noes 23.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Hardy, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Cald-

well, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Reid, Regan, Robinson, Settle, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring Welch, Withers, Wilcox, Woodhouse and York—62.

Noes—Messrs. Bryant of Halifax, Bunn, Collis, Copeland, Dudley, Ellison, Fisher, Fletcher, Goodwyn, Guyther, Hargrove, Jones of Northampton, Lyon, Mabson, Morgan of Wake, Newsom, Nisson, Page, Reavis, Robbins, Tucker, Willis and Williamson—23.

Mr. Dunham then called the previous question on third reading of the bill.

Mr. Hargrove called the ayes and noes; the call was sustained, and the previous question ordered. Ayes 58; Noes 19.

Yeas—Messrs. Anderson, Armstrong, Ashe, Atwater, Atinson, Brooks, Broadfoot, Bryson, Clinard, Crawford, Currie, Dickey, Dunham, Gambrel, Gore, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Rankin, Reid, Regan, Robinson, Settle, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Woodhouse and York—58.

Noes—Messrs. Bunn, Collis, Copeland, Dudley, Ellison, Fisher, Goodwyn, Hargrove, Hardy, Jones of Northampton, Lyon, Morgan of Wake, Nisson, Page, Reavis, Robbins, Tucker, Willis and Williamson—19.

And Mr. Hargrove called the ayes and noes on passage of the resolution; the call was sustained and resolution passed third reading. Ayes 63; Noes 17.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Clinard, Crawford, Currie,

Dickey, Drake, Dunham, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johnston, of Buncombe, Jones of Caldwell, Joyner, of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley McNeill, Mitchell, Nicholson, Nisson, Page, Paylor, Powell, Reid, Regan, Robinson, Settle, Smith of Anson, Smith of Wayne, Sparrow, Standford, Stewart, Strudwick, Waring, Welch, Withers, Wilcox, Woodhouse and York—63.

Noes—Messrs. Bunn, Collis, Copeland, Dudley, Ellison, Fisher, Hargrove, Hardy, Lyon, Mabson, Morgan of Wake, Newsom, Reavis, Robbins, Tucker, Willis and Williamson—17.

Mr. McAfee moved to reconsider the vote by which S. B. 173, (Convention Bill) passed third reading and to lay that motion on the table.

Mr. Hargrove called the ayes and noes and the motion was tabled. Ayes 57; Noes 22.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atkinson, Broadfoot, Bryson, Crawford, Currie, Dickey, Drake, Dunham, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Rankin, Reid, Regan, Robinson, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Strudwick, Waring, Welch, Withers, Wilcox, Woodhouse and York —57.

Noes—Messrs. Bryant of Halifax, Bunn, Buxton, Collis, Darden, Dudley, Ellison, Fisher, Goodwyn, Hargrove, Jones of Northampton, Lyon, Mabson, Morgan of Montgomery, Morgan of Wake, Newsom, Page, Reavis, Robbins, Tucker, Willis and Williamson—22.

When Mr. Page moved to reconsider the vote by which H. R. 164, of instructions to Public Treasurer, passed 3d reading.

Mr. Strudwick moved to lay the motion on the table, when Mr. Hargrove called the ayes and noes on motion to table. The call was sustained and the motion tabled. Ayes 47; Noes 18.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atkinson, Bryson, Currie, Dickey, Drake, Dunham, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kincade, Lucas, Luckey, Mabson, Marler, Maxwell, McAfee, McAllister, McCauley, Nicholson, Paylor, Reid, Regan, Robinson, Smith of Anson, Smith of Wayne, Stewart, Strudwick, Waring, Withers, Wilcox, Woodhouse and York—47.

Noes—Messrs. Bryant of Halifax, Bunn, Copeland, Dudley, Ellison, Goodwyn, Hargrove, Hardy, Lyon, Morgan of Wake, Newsom, Nisson, Page, Reavis, Robbins, Tucker, Willis and Williamson—18.

When on motion of Mr. Strudwick the House adjourned.

SATURDAY, January 28th, 1871.

The House met at 10 A. M., Mr. Robinson in the chair. Prayer by Rev. Mr. Grayson of the House.

The journal of yesterday was read and approved.

BILLS INTRODUCED.

By Mr. McCauley. A bill to amend sec. 199, chapter 4 of Code of Civil Procedure. Passed first reading and referred to judiciary committee.

CALENDAR.

On motion of Mr. Marler, the rules were suspended and S.

R. 218, in favor of A. C. Cowles, was taken up and passed third reading and ordered enrolled.

On motion of Mr. Jordan, the rules were suspended and substitute for H. B. 161, creating a commission to enquire into charges of fraud and corruption, was taken up, and on motion of Mr. Ashe, the name of O. P. Meares was stricken from the bill.

Mr. Phillips moved to strike out the other names, and motion prevailed.

Mr. Martin moved to amend by authorizing the Speaker of the House to appoint commission from members of the House; when

Mr. Williamson, by consent, introduced a bill to incorporate a Tram road to Louisburg. Passed first reading and referred to committee on corporations.

A message was sent, transmitting to the Senate, S. B. 173, a bill to call a Convention of the people, with House amendments and asking concurrence therein. Also, H. R. No. 162, in regard to the payment of certain warrants in aid of the late military movement.

When Mr. Martin withdrew his amendment to H. B. 161.

Mr. Jordan moved to amend by inserting the name of David S. Reid.

Mr. Johnston, of Buncombe, to insert the name of David Coleman.

Mr. Brown, to insert the name of Alfred Dockery; when

Mr. Jordan moved to defer consideration till Monday next at 11½ a. m., which motion prevailed.

A message was received from the Senate transmitting and asking concurrence in the passage of S. B. 302, to provide for payment of witnesses in impeachment trial of W. W. Holden; S. B. 296, to allow tax collectors to collect arrears of taxes. S. B. No. 244, to define and amend charter of Wilmington; N. C. Life Insurance Co.; S. R. No. 10, in favor of M. A. Bledsoe; S. B. No. 78, to authorize commissioners of Onslow to adjust tax list.

Bills and resolutions were deferred.

On motion of Mr. Rankin, the rules were suspended and H. B., to incorporate the town of Gibsonville, in Guilford, was taken up, amendment reported by committee concurred in, and bill passed 2nd and 3rd readings, and ordered engrossed.

Mr. Hargrove, by permission, introduced a bill in favor of Wm. A. Philpot, late sheriff of Granville. Read 1st time and referred to committee on proposition and grievances.

On motion of Mr. Anderson, the rules were suspended and H. B., to incorporate Clay Lodge of A. Y. M., was taken up and passed 2nd and 3rd readings, and ordered engrossed.

On motion of Mr. Harris, of Franklin, the rules were suspended and H. B. No. 301, to amend chap 168, sec. 1, public laws of 1869–'70, was taken up, and on motion of Mr. Gregory, referred to judiciary committee.

Mr. Ashe, by consent, reported from judiciary committee favorably, on S. B. 300, to supercede the special term of Superior Courts in Craven and Lenoir counties, and moved suspension of the rules. Motion prevailed and the bill passed 2nd and 3rd readings and ordered to be enrolled.

Mr. Ashe moved to reconsider and to lay the motion on the table, and motion to table prevailed.

Mr. Gregory, for committee on Internal Improvements, reported on H. B. 259, incorporating the Forney's Creek Turnpike Co., and H. B. to incorporate the Tennessee River Turnpike Co., favorably, and moved to suspend the rules, and H. B. No. 259 was taken up and passed 2nd and 3rd reading and ordered engrossed.

And under suspension of the rules bill to incorporate Tennessee River Turnpike Company, was passed second and third reading, and ordered engrossed.

On motion of Mr. Dickey, the rules were suspended, and Senate amendment to H. B. 88, in favor of J. W. C. Piercy, was concurred in, and bill ordered enrolled.

On motion of Mr. Johnston, the rules were suspended, and H. B. "in relation to the sale of spirituous liquors in Asheville,"

was taken up and passed second and third reading, and ordered to be engrossed.

On motion of Mr. Hargrove, the rules were suspended, and H. B, No. 219, "authorizing the levy of special tax in Perquimans county," was taken up and passed second reading. Ayes 43; Noes 30.

Ayes—Messrs. Atkinson, Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Darden, Drake, Dudley, Duckworth, Ellison, Garrison, Gatling, Gullick, Grayson, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Rankin, Reavis, Robbins, Robinson, Smith of Halifax, Tucker, Withers and Woodhouse—43.

Noes—Messrs. Armstrong, Brown, Fletcher, Gregory, Guyther Henderson, Hill, Jones of Caldwell, Joyner of Pitt, Lassiter, Marler, Maxwell, McAfee, McNeill, Mitchell, Nicholson, Paylor, Powell, Stewart and Williamson—20.

The hour for consideration of special order having arrived, being a bill for the benefit of Western North Carolina Railroad, Eastern Division, bill was taken up, when Mr. Welch withdrew the name of Mr. Erwin as State proxy, and offered the name of Judge J. L. Bailey.

Mr. Crawford moved to amend by inserting the name of C. A. Henderson as State Proxy, and called the ayes and noes.

Mr. Martin called division, and the name of A. M. Erwin was stricken out.

The insertion of the name of J. L. Bailey did not prevail.

When amendment inserting the name of C. L. Henderson prevailed. Ayes 66; Noes 16.

Ayes—Messrs. Ashe, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Buxton, Cawthorn, Carson, Clinard, Copeland, Crawford, Darden, Drake, Dudley, Ellison, Faulkner, Fletcher, Gambrel, Gatling, Gore, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Hill, Hinnant, Johnson of Edgecombe, Jones of Caldwell, Jones of North-

ampton, Joyner of Pitt, Justice, Kelly of Davie, Kelsey, Lassiter, Luckey, Lyon, Mabson, Marler, McAfee, McAllister, Morgan of Montgomery, Morgan of Wake, Mitchell, Newsom, Nicholson, Nisson, Page, Phillips, Paylor, Powell, Reavis, Reid, Regan, Robbins, Shull, Smith of Anson, Smith of Halifax, Stewart, Tucker, Tomlinson, Wilcox, Woodhouse, Williamson and York—66.

Noes—Messrs. Anderson, Armstrong, Atwater, Bryson, Collis, Dickey, Furr, Garrison, Grayson, Guyther, Hampton, Johnston of Buncombe, Maxwell, Morris, Robinson and Welch—16.

Mr. Bryson, by consent, introduced a bill to consolidate certain Railroads. Ordered to be printed.

Mr. Hargrove asked leave of absence for Mr. French till Monday.

Mr. Welch objected. Objection was withdrawn and leave was granted.

And on motion of Mr. Brown, the House adjourned.

MONDAY, January 30th, 1871.

The House met at 10 A. M., Mr. Welch in the Chair.

Prayer by Rev. Mr. Grayson of the House.

The journal of Saturday was read and approved.

BILLS INTRODUCED.

By Mr. Anderson, a bill "to limit the powers of township boards in Clay and Cherokee counties." Read 1st time and placed on calendar.

By Mr. Young of Yancey, a bill to incorporate the town of Burnsville. Read 1st time and referred to committee on corporations.

Mr. Crawford, from committee on Engrossed Bills, reported

H.B. "in regard to salè of spirituous liquors in Asheville," as correctly engrossed.

When the report of the State Geologist to House of Representatives, was read and referred to committee on agriculture, mechanics, &c.

A message was sent asking return from the Senate of resolution to amend article 8th of Articles of Impeachment. And a message was received from the Senate returning the same.

On motion of Mr. Johnston, of Buncombe, the rules were suspended and reports of Governor and Public Treasurer in regard to certificates of bonds issued to Geo. W. Swepson, &c., were referred to a special committee of five.

On motion of Mr. Houston, the rules were suspended and S. B. No. 79 "on salaries and fees of State officers" was taken up.

On motion of Mr. Ashe, the bill was ordered to be printed and made the special order for to-morrow at 12 o'clock.

On motion of Mr. Stanford, the rules were suspended and S. B. "to authorize commissioners of Onslow county to adjust tax list" was taken up, when Mr. Marler moved to refer to committee on propositions and grievances. Motion prevailed.

On motion of Mr. Darden the rules were suspended and H. B. "authorizing levy of special tax in Perquimans" on 3d reading, was taken up and passed. Ayes 61; Noes 12.

AYES--Messrs. Anderson, Ashe, Atwater, Brooks, Bryson, Buxton, Cawthorn, Carson, Clinard, Collis, Copeland, Darden, Dickey, Drake, Dudley, Ellison, Faulkner, Fletcher, Furr, Garrison, Gatling, Goodwyn, Gore, Grayson, Guyther, Hargrove, Hardy, Henderson, Houston, Johnson of Edgecombe, Johns, Joyner of Pitt, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Lyon, Mabson, McAllister, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Paylor, Powell, Reavis, Robbins, Shull, Smith of Halifax, Sykes, Tucker, Tomlinson, Withers, Willis, Woodhouse Williamson and York—61.

NOES—Messrs. Armstrong, Currie, Jones of Caldwell,

Joyner of Johnston, Luckey, Marler, Maxwell, McAfee, McNeill, Mitchell, Regan and Stanford—12.

And ordered to be engrossed.

SPECIAL ORDER.

Being H. B. to amend chap. 2, sections 14 and 15. of Revised Code, was taken up, and made special order for Wednesday next at 12 o'clock, on motion of Mr. Robinson.

On motion of Mr. McCauley, the rules were suspended and H. B. No. 29, to authorize C. Austin, sheriff, to collect arrears of taxes, was taken up and proviso offered by committee adopted, when

Mr. Bryson moved to amend by inserting the name of Wm. Bumgarner. Adopted.

Mr. Welch, to insert the name of Hiram Rogers. Adopted.

Mr. Powell, by inserting the name of G. J. Williams, of Chatham.

Mr. McAfee, by inserting the name of John Z. Falls; both adopted.

Mr. Hill, by inserting the name of W. F. Wasson, sheriff of Iredell county. Adopted.

Mr. Gambrel, by adding the name of J. C. Jones, sheriff of Alleghany. Adopted.

When Mr. Robinson moved to refer to committee on propositions and grievances, with request to report a general bill. Motion lost.

When Mr. Garrison moved to amend by inserting the name of N. B. Hampton, of Polk. Adopted,

Mr. Sykes, to insert the name of Jno. L. Wood, sheriff of Pasquotank, which was adopted; and

Bill passed second reading as amended.

Mr. Justice, by consent, introduced a resolution instructing committee on Penal Institution to investigate affairs of Penitentiary. Placed on calendar.

When, on motion of Mr. McCauley, the rules were suspended

and H. B. 29, authorizing C. Austin and others to collect arrears, passed third reading and ordered engrossed.

On motion of Mr. Grayson, the rules were suspended and H. B., referring to Rutherford Seminary, was taken up and passed second and third readings and ordered engrossed.

The hour for consideration of special order having arrived, it was posponed for consideration of S. B. No. 58, which was called from committee, (bill referring to alleged frauds and corruption in bonds,) and Mr. Jordan moved to substitute H. B. No. 329, on same subject, for the Senate bill, which substitute was adopted, and passed second and third readings and ordered engrossed.

Mr. Sykes, by consent, introduced a resolution to appoint a joint select committee to ascertain State debt. Read first time and placed on the calendar.

Mr. Gregory, for committee on Internal Improvements, reported, recommending the passage of H. B. No. 267, to amend the charter of the Cheoah Turnpike Company; also H. B. 257, referring to Hiawasse and Cheoah Turnpike Company, favorably.

Mr. Robinson, from committee on Enrolled Bills, reported an act for relief of sureties of J. W. C. Piercy, late tax collector of Cherokee; resolution instructing the Treasurer not to pay certain warrants; and Senate Resolution to pay expenses of A. C. Cowles in going after Chief Justice Pearson, as correctly enrolled and they were ratified.

Mr. Ashe, by consent, reported from Finance Committee asking relief from consideration of H. R. 111, instructing Public Treasurer, (granted) and same report on S. R. No. 109, in reference to public debt, and discharge was granted.

By same, a bill to confer certain powers on justices. Read first time and referred to judiciary committee; also a bill to limit expenses of several departments of the State government. Read and referred to committee on finance.

By same, a bill to change the time for holding Superior

Court in New Hanover county. Passed first reading and placed on calendar.

On motion of Mr. Johnston, of Buncombe, the rules were suspended, and H. B. No. 244, on third reading, "declaratory of the meaning of sec. 34, chap 225, laws of 1860-'70," was taken up. (Binding sureties of sheriffs.)

Mr. Hargrove moved to refer to judiciary committee. No quorum voting.

When Mr. Justice moved to adjourn. Motion lost, and the bill passed third reading, and ordered engrossed.

On motion of Mr. Ashe, the rules were suspended, and H. R. 115, "soliciting additional appropriation for improvements to Cape Fear bar," was taken up and adopted.

On motion of Mr. York, the rules were suspended, and H. B., "to change the line between Wilkes and Alleghany counties," was taken up and passed second and third readings and ordered engrossed.

Mr. Bryson, by consent, introduced a resolution "in favor of B. S. Buchanan, sheriff of Jackson,"

And on motion of the same, the rules were suspended and resolution passed second and third readings, and ordered engrossed.

On motion of Mr. Ashe, the rules were suspended, and H. R. No. 102, "in favor of V. V. Richardson," was taken up and Senate amendments concurred in and ordered enrolled.

On motion of Mr. Dudley, the rules were suspended, and H. B. No. 215, "to incorporate A. M. E. S. S. Society of Newbern," was taken up and passed second and third readings, and ordered engrossed.

On motion of Mr. Robinson, the rules were suspended, and H. B. No. 230, "to extend time of settlement to J. M. Roane, sheriff of Macon," was taken up and passed second and third readings, and ordered engrossed.

On motion of Mr. Johnston, of Buncombe, the rules were suspended, and H. B. 251, "to incorporate the town of Waynes-

ville," was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Jordan, the rules were suspended and S. B. No. 107, "to authorize the levy of a special tax in Orange county," was taken up and passed second and third readings. Ayes 43; Noes 24.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryson, Chamberlain, Clinard, Crawford, Darden, Dickey, Drake, Dudley, Furr, Garrison, Gore, Gullick, Grayson, Guyther, Henderson, Houston, Johnston of Buncombe, Johns, Joyner of Pitt, Jordan, Kelsey, Kincade, Lassiter, Luckey, Maxwell, McAfee, McAllister, McCauley, Morris, Paylor, Powell, Regan, Shull, Smith of Anson, Stanford, Tomlinson, Withers and Woodhouse—43.

Noes—Messrs. Bunn, Cawthorn, Faulkner, Fletcher, Goodwyn, Hampton, Hargrove, Hardy, Johnson of Edgecombe, Justice, Lyon, Mabson, Marler, Morgan of Wake, Newsom, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Willis, Williamson and Young of Wake—24.

On motion of Mr. Robbins, the rules were suspended and H. B. No. 266, "to prevent fishing on Sundays" was taken up. Mr. Martin moved to recommit; the motion prevailed, and bill was recommitted to committee on propositions and grievances.

A message was sent, transmitting and asking concurrence in the passage of H. B. No. 228, "regarding the sale of spirituous liquors in Asheville, and H. R. 164, "in favor of B. S. Buchanan, sheriff of Jackson county.

On motion of Mr. York, the rules were suspended and H. B. No. 106, "to authorize the commissioners of Brunswick county to issue bonds," was taken up, and passed third reading and ordered engrossed. Ayes 62; Noes 4.

Ayes—Messrs. Anderson, Armstrong, Ashe, Brooks, Broadfoot, Bryan of Jones, Bryson, Cawthorn, Carson, Clinard, Collis, Copeland, Crawford, Darden, Dickey, Drake, Dunham, Ellison, Fletcher, Furr, Gambrel, Garrison, Gullick, Grayson,

Guyther, Hargrove, Hardy, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lyon, Mabson, Maxwell, McAfee, McAllister, McCauley, Morris, Morgan of Wake, Mitchell, Newson, Nisson, Page, Paylor, Powell, Reid, Regan, Robbins, Robinson, Shull, Smith of Anson, Smith of Halifax, Stanford, Tomlinson, Withers, Willis, Woodhouse and York—62.

Noes—Messrs. Faulkner, Hampton, Marler and Nicholson —4.

On motion of Mr. Robinson, the vote by which H. B. in reference to Jno. W. Roan passed 3d reading, was considered and amendment inserting additional section was adopted, and bill as amended passed 3d reading and ordered to be engrossed.

On motion of Mr. Garrison, the rules were suspended and H. B. No. 249, to authorize commissioners of Polk to levy a special tax was taken up. Mr. Bryson moved to amend by inserting "and the county of Jackson" and the word "each." The amendments were adopted and bill as amended passed 2d reading. Ayes 57; Noes 6.

Ayes—Messrs. Anderson, Armstrong, Brooks, Broadfoot, Bryan of Jones, Bryson, Bunn, Cawthorn, Carson, Clinard, Copeland, Darden, Dickey, Drake, Dudley, Dunham, Ellison, Faulkner, Furr, Gambrel, Garrison, Gatling, Grayson, Harris of Guilford, Hargrove, Hardy, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lyon, Maxwell, McAfee, McAllister, McCauley, Morris, Morgan of Wake, Nisson, Phillips, Paylor, Robbins, Robinson, Smith of Anson, Stanford, Stewart, Sykes, Tucker, Tomlinson, Willis, Woodhouse, Young of Wake and York—57.

Noes—Messrs. Buxton, Guyther, Hampton, Marler, Mitchell, Shull and Smith of Halifax—6.

Messrs. Johnston, of Buncombe, Withers, Robinson, Duckworth and Justice were announced as Special Committee on

certificates of bonds to W. N. C. R. R. Co.; and Messrs. Jones, of Caldwell, McNeill and Lyon as Special Committee to visit University.

On motion the House adjourned.

TUESDAY, JANUARY 31st, 1871.

The House met at 10 A. M. Mr. Speaker Jarvis in the Chair and was opened with prayer by the Rev. Mr. Collis of the House.

REPORTS OF COMMITTEES.

Mr. Nicholson, from committee on Privileges and Elections reported from the Wayne county contested election. No cause why the sitting member should not retain his seat, and the committee was discharged from farther consideration of the case.

Mr. Henderson, from the committee on Incorporations reported favorably on bill "to incorporate the town of Stonewall."

Mr. Strudwick, from committee on Contingencies reported favorably on an account of C. Kuester.

INTRODUCTIONS OF RESOLUTIONS, &C.

Mr. Young, of Yancey, introduced a resolution "in favor of Charles Byrd, former sheriff of Yancey," which was referred to committee on propositions and Grievances.

Mr. Hill introduced a bill "to incorporate Statesville Seminary," which was reported to committee on corporations.

Mr. Marler, a bill "to prevent the felling of trees in Yadkin river." Referred to committee on propositions and grievances.

Mr. Jordan, a bill "in relation to the construction of deeds for real estate." Referred to judiciary committee.

CALENDAR.

H. B. 36, "to charter the Spartanburg and Rutherford Rail Road," on 3d reading was taken up, when Mr. Ashe moved to amend by inserting the proviso that in case the W. C. & R. R. R., be not completed within eighteen months, the charter extend to Columbus. The amendment was adopted, and on motion of Mr. McAfee, it was made special order for Saturday at 12 o'clock.

H. B. on 3d reading, to authorise the Commissioners of Polk and Jackson counties to levy a special tax was taken up, and passed its 3d reading, and was ordered to be engrossed.

On motion of Mr. Houston, the rules were suspended and H. B. 87, to require the sheriffs of the State to pay Treasurers of their respective counties, &c., was taken up, and made order for Saturday at 12 m.

On motion of Mr. Kincade, the rules were suspended and S. B. 249, to provide for election of tax collecter of Lincoln county, was taken up and passed 2nd and 3d readings and was ordered to be enrolled.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. 260 to charter Tennessee River Turnpike Co.; H. B. 269 to incorporate Forney's Creek Turnpike Co.; H. B. 163 to incorporate Clay Lodge No. 301 of Ancient York Masons and H. B. 275 to incorporate the town of Gibsonville, in the County of Guilford, as correctly engrossed.

Mr. McNeill introduced a bill from committee on Propositions and Grievances, in relation to the fowling interest in Currituck Sound, and on motion of Mr. Ashe, the rules were suspended and bill passed its second and third readings and ordered to be engrossed.

Mr. Robinson, from committee on Enrolled Bills, reported on resolution in favor of B. S. Buchanan, sheriff of Jackson;

resolution in favor of V. V. Richardson, sheriff of Cumberland; an order of the House relative to amendment of article 8 of articles of impeachment against W. W. Holden, Governor of North Carolina, as correctly enrolled, and they were ratified.

A message was received from the Senate informing the House of the passage of S. B. 38, to allow the North Carolina Railroad to purchase and consolidate with Northwestern North Carolina Railroad; S. B. 260, to amend an act incorporating the Atlantic, Tennessee and Ohio Railroad Company; S. B. 106, in relation to bonds given by administrators, &c.; S. B. 196, to incorporate trustees of Mount Vernon Academy. Also, a message transmitting H. B. 106, in relation to Keeper of the Capitol, with amendment, striking out Wednesday, 21st day of December, and inserting urday, 4th of February, and asking concurrence therein. Also, announcing non-concurrence of the Senate in House amendment to Convention bill, and asking a committee of conference.

On motion of Mr. Dickey, the rules were suspended, and bill to incorporate the Hiawasse and Cheoah Turnpike Company, was taken up and passed second and third readings, and was ordered to be engrossed.

On motion of Mr. Sykes, the rules were suspended and resolution to ascertain the State debt, was taken up.

Mr. Jones moved to refer to committee on finance, but motion was withdrawn, and resolution was adopted.

On motion of Mr. Dudley, the rules were suspended, and S. B., to incorporate the town of Stonewall, in the county of Craven, was taken up and passed second and third readings, and was ordered to be engrossed.

Mr. Powell, by consent, introduced a bill to authorize the Commissioners of Chatham to issue bonds. Referred to committee on finance.

On motion of Mr. Kincade, the rules were suspended and S. B. relating to poor house in Lincoln, was taken up and passed second and third readings and was ordered to be enrolled

On motion of Mr. Anderson, the rules were suspended and H. B. to amend an act in relation to burnt records in the county of Clay, was taken up and passed second and third readings and was ordered to be engrossed.

Mr. McNeill, from committee on Propositions and Grievances, reported on H. B. No. 298 to levy special tax in Gaston county with an amendment recommending its passage.

Mr. Standwick asked the suspension of the rules and S. B No. 107, to authorize the commissioners of Orange county to levy a special tax, was put upon its third reading and passed. Ayes 51; Noes 23.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bryson, Dickey, Drake, Dunham, Fisher, Gambrel, Gatling, Gore, Grayson, Hampton, Harris of Guilford, Harris of Franklin, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Maxwell, McAfee, McAllister, McCauley, Morris, Mitchell, Phillips, Paylor, Powell, Rankin, Robbins, Robinson, Stanford, Stewart, Strudwick, Tomlinson, Waring, Withers, Willis, Womack and Young of Yancey—51.

Noes—Messrs. Brown, Bryant of Halifax, Bunn, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fletcher, Guyther, Hargrove, Johnson of Edgecombe, Lyon, Morgan of Montgomery, Morgan of Wake, Newsom, Shull, Smith of Halifax, Tucker, Williamson, Young of Wake and York—23.

On motion of Mr. Bryson, the rules were suspended and H. B. 72, to amend charter of the Western Division of the Western North Carolina Railroad was taken up, and made special order for Friday at 12 o'clock.

On motion of Mr. Stanford, the rules were suspended, and H. B. 153, to establish the county of Camden was taken up, and made special order for third Wednesday in February.

On motion of Mr. Waring, the rules were suspended and H. B. 282, requiring sheriffs to advertise sale of real estate was taken up, when Mr. Johnston of Buncombe, moved to amend

by inserting that the cost of advertisement shall not exceed $6. Amendment was accepted and failed to pass, no quorum voting.

Mr. Waring called the ayes and noes for a quorum, and offered an amendment providing the act shall not apply to land under $100 in valuation.

Mr. Ashe moved to amend amendment providing that it shall not apply unless defendant asks advertisement.

Mr. Joyner moved to lay the bill on the table, and motion prevailed.

On motion of Mr. Lucas, the rules were suspended and H. B. 102, to appoint a Commission of Wrecks for Hyde county was taken up and passed second and third readings, and was ordered to be engrossed.

On motion of Mr. Ashe, the rules were suspended and the S. R. to remove disabilities of S. H. Rogers and A. M. Waddell was taken up and passed second and third readings, and ordered to be enrolled.

On motion of Mr. Regan, the rules were suspended and S. B. No. 9, to repeal an act to extend the corporate limits of the town of Lumberton, in Roberson county, (amendatory) was taken up and passed second and third readings, and was ordered to be enrolled.

On motion of Mr. Robinson, the rules were suspended and H. B. 231, to amend section 9 and 10 of an act of 1868–'69, relative to Western Turnpike Road, was taken up and passed second and third readings and ordered to be engrossed.

On motion of the same, the rules were suspended, and H. B. 232, to authorize Commissioners of Macon county to levy a special tax, was taken up and passed second reading. Ayes 83; Noes none.

Ayes—Messrs. Anderson, Armstrong, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Clinard, Collis, Crawford, Currie, Darden, Dickey, Drake, Ellison, Faulkner, Fisher, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn,

Gore, Gullick, Grayson, Guyther, Harris of Guilford, Hargrove, Hardy, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Justice, Kelly of Davie, Kelsey, Lucas, Lyon, Mabson, Maxwell, McAfee, McAllister, McCauley, Morris, Morgan of Wake, Newsom, Nicholson, Nisson, Page, Phillips, Paylor, Powell, Reavis, Reid, Regan, Robbins, Robinson, Shull, Smith of Halifax, Stanford, Strudwick, Tucker, Tomlinson, Waring, Withers, Willis, Wilcox, Womack, Williamson, Young of Wake, Young of Yancey and York 83; Noes—none.

On motion of Mr. Strudwick, the rules were suspended and S. B. 90, to amend the charter of the city of Raleigh was taken up, when Mr. Justice moved to strike out 90 and insert 30 days residence within the corporate limits.

The hour for the consideration of the special order having arrived, on motion, it was postponed thirty minutes, when Mr. Phillips moved to lay the bill concerning the city of Raleigh on the table, and called the ayes and noes. Call was sustained, and the motion did not prevail. Ayes 45; Noes 55.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, Gambrel, Garrison, Gatling, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—45.

Noes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Clinard, Crawford, Currie, Dickey, Drake, Furr, Gore, Gullick, Grayson, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Joyner of Johnston, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid,

Regan, Robinson, Scott, Shull, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Wilcox, Woodhouse, Young of Yancey and York—55.

When Mr. Bryson moved to refer the subject to the committee on corporations and it was so referred.

SPECIAL ORDER

Being S. B. 79, in relation to salaries and fees was taken up, when Mr. Houston moved to consider the bill by sections. The motion prevailed, and amendment to section 1, reported by committee on salaries and fees, was, upon motion divided, and Mr. Waring called the ayes and noes on striking out $500 and inserting $1000, (offered by committee on salaries and fees.) The amendment was lost. Ayes 19; Noes 77.

AYES—Messrs. Bryan of Jones, Bunn, Buxton, Cawthorn, Copeland, Dudley, Faulkner, Fisher, Harris of Franklin, Hardy, Mabson, Morgan of Wake, Page, Phillips, Reavis, Smith of Halifax, Smith of Wayne, Tucker and Willis—19.

NOES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Brown, Bryson, Carson, Clinard, Collis, Currie, Dickey, Drake, Ellison, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gore, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Lyon, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Mitchell, Nicholson, Nisson, Powell, Rankin, Reid, Regan, Robbins, Robinson, Scott, Settle, Shull, Stanford, Stewart, Strudwick, Sykes, Tomlinson, Waring, Welch, Withers, Wilcox, Woodhouse, Williamson, Young of Wake and York—77.

Mr. Dudley moved to strike out $500 and insert $800, as salary to private Secretary to Governor. Motion did not prevail.

Mr. McAfee moved to amend by inserting "revised code"

after the word "two" in section 1, line 7, which amendment was adopted, when by order of the chair, Messrs. Ashe, Withers, Wilcox, Duckworth and Stanford were appointed House branch of committee of conference on bill to call a convention.

On motion, the House adjourned.

WEDNESDAY, February 1st, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair, and was opened with prayer by the Rev. Dr. Mason, of the city.

REPORTS OF COMMITTEES.

Mr. Crawford, from the committee on Engrossed Bills, reported on H. B. 163, to incorporate Clay Lodge No. 301, Ancient York Masons; H. B. 259, to charter Forney's Creek Turnpike Company; H. B. 260, to charter Tennessee River Turnpike Company; H. B. 251, to incorporate the town of Waynesville, in Haywood county; H. B. 275, to incorporate the town of Gibsonville, in the county of Guilford, and H. R. 115, requesting members of Congress to obtain appropriations for Cape Fear Bar as correctly engrossed, and a message was sent transmitting the same to the Senate, and asking concurrence.

Mr. McAfee, from committee on Propositions and Grievances, reported favorably on S. B. 211, to authorize commissioners of Hyde county to levy special tax; H. B. 268, to authorize commissioners of Chowan county to levy special tax; H. B. 220, to authorize A. S. Hill, sheriff of Cherokee, to collect arrears of taxes; H. B. 308, in favor of William A. Philpot, sheriff of Granville; H. B. 291, to amend chap. 33, laws of 1868–'69; S. B. 78, to authorize commissioners of Onslow to adjust the tax list; a proviso to S. B. 280, to autho-

rize S. A. Kelly, sheriff of Davie, to collect arrears of taxes; and unfavorably on H. R. 152, in favor of James Grady, sheriff of Harnett, and on H. R. 196 for the better protection of the wool-growing interest.

Mr. Kelly, from committee on Internal Improvements, reported favorably on S. B. 256, in relation to the Wilmington, Charlotte and Rutherford Railroad; H. B. 268, to charter turnpike road from Statesville to Mount Airy; H. B. 66, to aid the completion of Buck Creek and Indian Grove Turnpike road, from Marion, McDowell county.

INTRODUCTION OF RESOLUTIONS.

By Mr. Jones, of Caldwell, a resolution to have the calendar of the House printed and laid before the House every Monday. Placed on calendar.

INTRODUCTION OF BILLS.

By Mr. Young, of Yancey, in reference to refugees from justice, which was referred to judiciary committee.

By Mr. Grayson, a bill to secure the better collection of the poll tax. Referred to judiciary committee.

By Mr. Gullick, a bill to provide for the election of a tax collector in Gaston county. Referred to committee on propositions and grievances.

By Mr Waring, a bill to incorporate the Fair of the Carolinas at Charlotte. Placed on calendar.

UNFINISHED BUSINESS

Being bill fixing salaries and fees of State officers was, on motion of Mr. Gregory, postponed for 30 minutes, when Mr. Bryson called for reports and documents accompanying Governor's message referring to action of N. W. Woodfin in matter of W. N. C. R. R. Papers were not on the calendar, and

call was withdraw, and the unfinished business resumed, the question being the adoption of Sec. 1st of salary and fee bill.

Section 1 was adopted and section 2 was taken up, read, and amendment from committee giving assistant clerk $1000, being under consideration, Mr. Anderson moved to amend by striking out $1000 and inserting $500.

Amendment offered by committee to strike out $750 and insert $1000, was lost. Ayes 34; Noes 68.

AYES—Messrs. Armstrong, Ashe, Atkinson, Brooks, Broadfoot, Bryan of Jones, Bunn, Buxton Cawthorn, Collis, Copeland, Crawford, Currie, Dudley, Ellison, Faulkner, Fisher, Fletcher, Furr, Garrison, Harris of Franklin, Hardy, Henderson, Jones of Northampton, Joyner of Pitt, Luckey, Martin, Maxwell, McNeill, Page, Phillips, Stewart, Tucker and Willis.—34.

NOES—Messrs. Anderson, Atwater, Brown, Bryant of Halifax, Bryson, Carson, Clinard, Darden, Dickey, Drake, French, Gatling, Goodwyn, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lucas, Lyon, Marler, McAfee, McAllister, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Mitchell, Newsom, Nicholson, Nisson, Paylor, Powell Rankin, Reavis, Read, Robbins, Settle, Shull, Smith of Anson, Stanford, Sykes, Waring, Welch, Withers, Wilcox, Woodhouse, Williamson, Young of Wake, Young of Yancey and York—68.

Mr. Waring moved to amend by striking out in section 2 $1,500, and inserting $1,250 and called for the ayes and noes. Amendment was lost. Ayes 46; Noes 57.

AYES—Messrs. Anderson, Atwater, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Buxton, Clinard, Dickey, Ellison, Garrison, Gatling, Goodwyn, Gullick, Grayson, Guyther, Harris of Guilford, Hargrove, Houston, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Kelsey, Kincade, Lassiter, Lyon, Martin, McCauley, Morris, Newsom, Rankin, Reavis, Reid, Regan, Robbins, Settle, Smith of Hal-

ifax, Waring, Welch, Woodhouse, Williamson, Young of Wake, Young of Yancey and York—46

Noes—Messrs. Armstrong, Ashe, Atkinson, Broadfoot, Bunn, Cawthorn, Carson, Collis, Copeland, Crawfort, Currie, Darden, Drake, Dudley, Faulkner, Fisher, French, Furr, Gambrel, Gore, Hampton, Hardy, Henderson, Hill, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Lucas, Luckey, Mabson, Marler, Maxwell, McAfee, McAllister, McNeill, Morgan of Wake, Mitchell, Nicholson, Nisson, Page, Phillips, Paylor, Powell, Robinson, Scott, Shull, Smith of Anson, Stanford, Stewart, Sykes, Tucker, Tomlinson, Withers, Willis, Wilcox and Womack—57.

And section was adopted.

Section 3 was read and amendment offered by the committee striking out $800 and inserting $1000, was adopted.

Mr. Sykes moved to adjourn, motion lost, and Mr. Ellison, moved to amend section 3, line 2, by striking out $1000, and inserting $1,250.

Mr. Settle moved to postpone the farther consideration of the bill until to-morrow at 12 o'clock. Motion lost.

Mr. Ellison called the ayes and noes on his amendment, which call did not prevail.

Mr. Tomlinson moved to strike out in line 6, $1000 and insert $900, but withdrew motion, and section was adopted.

Section 4 was taken up, and amendments offered by committee read, giving $1,500, and authorizing clerk with salary of $1000. Mr. Johns moved to strike out $1000 and insert $700. Upon a division of the question, the House refused to strike out.

Mr. Martin moved to strike out section 4. Mr. Clinard called the ayes and noes The call was not sustained, and motion lost.

Section 5 was then read, when Mr. Copeland moved to strike out 50 cents and insert $1,500. Mr. Martin moved to amend amendment by striking out $1,500 and inserting 5 cents. Mr. Page moved to lay on the table. Motion lost.

Mr. Justice moved to strike out sec. 5 and insert, the Superintendent of Public Works shall not receive any salary nor be required to perform any of the duties of his office.

Mr. Copeland's amendment was lost, and Mr. French moved to strike out section 5. Mr. Dudley moved an amendment to section 5 by striking out 50 cents and inserting $500. Mr. French moved to strike out section 5. Lost. M. Phillips moved to substitute by inserting, "The Superintendent of Public works shall be entitled to no salary, nor shall he be allowed any sum for travelling expenses or clerical assistance." The substitute was lost. Ayes 32, Noes 46.

Mr. Ashe in the chair.

Mr. Paylor obtained leave of absence for four days from to-morrow. Mr. Dudley moved to adjourn. Lost. Mr. Robinson moved to amend sec. 5 by inserting, "except he shall receive $400 per annum when attending Governor's Council." Amendment adopted.

Section 6 was read, when Mr. Ellison moved to amend line 3 by striking out all after the word "expenses," which was withdrawn. Mr. French moved to amend by inserting after the word "dollars" in line 2 "and he shall be further allowed an assistant with a salary of $1,000 per annum," also in line 4 after word "any" insert "other."

On motion of Mr. Dunham, the business was suspended for 15 minutes, when an amendment of 8th article of impeachment and response of W. W. Holden, Governor, to the articles of impeachment against him, was read, when replication to same was read and adopted.

Mr. Speaker Jarvis in the chair.

Message from the Senate was received transmitting Senate resolution in relation to the State Library.

Mr. Page moved to ajourn. House refused, and Mr. French moved to strike out "assistant" and insert "clerk" in his amendment to section 6.

Mr. Robinson, from Committee on Enrolled Bills, reported an act in relation to Keeper of the Capitol; an act concerning

the poor-house in Lincoln county; an act to allow commissioners of Orange to levy special tax; an act to repeal an act to extend corporate limits of Lumberton; an act to incorporate the town of Stonewall in Craven county; and an act to provide for the election of a tax collector in Lincoln county, and a resolution to remove disabilities of A. M. Waddell and Sion H. Rogers, as correctly enrolled, and they were ratified, when on motion of Mr. Houston, the House adjourned.

THURSDAY, February 2d, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Grayson of the House.

The journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Kelsey from Committee on Counties, &c., reported recommending the passage of H. B. 283, to establish the county of Lee.

Mr. Brown, from Committee on Agriculture, Mechanics, &c., reported on Bill (H.) No. 69, to abolish the office of State Geologist, recommending its passage.

Mr. Settle, from Committee on Claims, reported favorably on S. R. No. 10, in favor of Moses A. Bledsoe.

Mr. Crawford, from Committee on Engrossed Bills, reported H. B. 230, to extend time for making settlement to J. M. Roane, sheriff of Macon; H. B. No. 215, to incorporate A. M. E. S. S. Society of New Berne; H. B. No. 106, authorizing commisssioners of Brunswick to issue bonds; H. B. No. 29, to authorize C. Anstin, late sheriff of Union, to collect arrears of taxes; H. B. No. 93, to change the line between Wilkes and Alleghany counties; H. B. No. 329, substitute for S. B. 58, and H. B. 161, creating commission to enquire into charges

of fraud, &c.; H. B. 244, declaratory of meaning of section 34, chapter 225, laws of 1869–'70; H. B. 241, concerning Rutherford Seminary; H. B. 219, to levy special tax in Perquimans county, as correctly engrossed.

Mr. Nicholson, from Committee on Privileges and Elections, reported on H. B. No. 75, "To repeal section 14 of an act concerning elections and registration of laws of 1869–'70," recommending that it do not pass.

Mr. Henderson, from Committee on Corporations, reported favorably on S. B. No. 244, "Defining and amending the charter of Wilmington North Carolina Life Insurance Company;" H. B. No. 319, "To incorporate Statesville Seminary," and S. B. No. 196, "To incorporate the Mount Vernon Academy on Bay river, in the county of Craven," and recommending their passage.

Mr. Hill, from Joint Committee on Library, reported favorvorably on S. B. 194, "In relation to State Library," recommending its passage.

RESOLUTIONS INTRODUCED.

By Mr. Lyon. A resolution in favor of recess and night sessions. Placed on calendar.

By Mr. Young, of Yancey. A bill authorizing levy of special tax in Yancey county. Referred to committee on counties, &c.

By Mr. Gambrel. A bill authorizing the building of a road from Sparta to the Virginia line. Referred to committee on counties, &c.

By Mr. Withers. A bill, empowering the Governor to offer reward for arrest of Henry B. Lowrey and others. (Reward of $5,000 for H. B. Lowrey, and $1,000 for others.) On calendar.

By Mr. Gambrel. A bill to amend chapter 66, of laws of 1869–'70, referring to road in Ashe and Alleghany counties. Referred to committee on counties, &c.

By Mr. Dunham. A bill to incorporate the Roanoke and Tar River Agricultural Society. Referred to committee on corporations.

By Mr. Hampton. A bill authorizing the construction of a toll bridge across the Yadkin river, near Elkin. Referred to committee on corporations.

Mr. Hill, by consent, reported from committee on Library, on S. B. in reference to Library.

Mr. Ashe, from committee on Conference, reported on S. B. No. 173, concerning a Convention of the people. Report placed on calendar. Report recommends the passage of the bill as amended by the House with the following amendments: Section 1, line 6, strike out "30th of March" and insert "13th of April." In section 3, line 3, strike out "20th of April" and insert "4th day of May." In section 3, line 10, strike out "2d Monday in May" and insert "4th Monday in May." In section 5, line 4, insert after the word "March" "or as soon thereafter as practicable." Strike out in section 10, line 9, "House amendment" from word "State" to word "Constitution," and insert "and said Convention shall insert a clause in said Constitution depriving any court of the State of all power or jurisdiction whatever to reverse, modify or change in any way the decision which has been made by the present Supreme Court on the homestead clause of the present Constitution, nor shall said Convention.

By Mr. Williamson, a bill to "incorporate Louisburg Manufacturing Company." Referred to committee on corporations.

By Mr. Dickey, a resolution "in favor of James W. Cooper, sheriff of Cherokee county." Referred to committee on propositions and grievances.

Leave of absence was granted Mr. ———, for one day. Mr. Atwater till Monday morning.

Mr. Withers, from Salaries and Fees Committee, reported on S. B. "to pay witnesses in impeachment trial," with certain amendments.

Calendar was taken up,

When Mr. Withers moved suspension of the rules and S. B. 302, "in relation to payment of witnesses in impeachment trial" was taken up, (the unfinished business being postponed for consideration of the same.) When Mr. Johnston of Buncombe moved to insert after the word two the word "material," allowing the payment of only two witnesses to material facts. Amendment lost, when amendments increasing *per diem* to $1,50 and mileage to 10c. was adopted.

Mr. Marler moved a proviso to second section, "that in case of conviction, the Governor, he shall pay his own witnesses." When Mr. Withers called the previous question.

Mr. Mabson, called the ayes and noes on Mr. Marler's proviso; the call was sustained and proviso adopted. Ayes 52; noes 47.

Ayes—Messrs. Anderson, Carson, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, Mills, Mitchell, Nicholson, Powell, Rankin, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Stanford, Stewart, Strudwick, Welch, Wilcox, Womack, Woodhouse, Young of Yancey and York—52.

Noes—Messrs. Atkinson, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Darden, Drake, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwyn, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Tomlinson, Waring, Withers, Willis, Williamson and Young of Wake—47.

When Mr. Hargrove called the ayes and noes on the passage of the bill. Ayes 51; Noes 39.

Messrs. Anderson, Carson, Crawford, Currie, Dickey, Dun-

ham, Furr, Gambrel, Gore, Gullick, Grayson, Hampton, Henderson, Houston, Hill, Hinnant, Johns, Joyner of Johnston, Joyner of Pitt, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McNeill, Morris, Morgan of Montgomery, Mills, Nicholson, Powell, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Withers, Wilcox, Stanford, Stewart, Strudwick, Waring, Womack, Young of Yancey and York—51.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Crawford, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Willis, Woodhouse, Williamson and Young of Wake—39.

Mr. French in the chair.

The hour of 12, having arrived the Managers of Impeachment proceeded to the court.

Mr. Hargrove moved to suspend Special Order for 15 minutes, which prevailed, when, on motion of the same, the rules were suspended and resolution regarding recess was taken up, and on motion was laid on table.

Leave of absence was granted Mr. Buxton from to-morrow till Thursday next, and House adjourned.

FRIDAY, February 3d, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by the Rev. Dr. Mason of the city.

The journal of Saturday read and approved.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from committee on Corporations, reported

favorably on S. B. No. 90, to amend the charter of the city of Raleigh, with amendments.

Mr. McCauley, from committee on Counties, Cities, &c., reported a substitute to S. B. No. 146, authorizing levy of special tax in Jones county.

Mr. Womack, from Special Committee to investigate alleged misconstruction of Chatham Railroad, reported on the same, that they are not informed of any misconstruction of same.

Mr. Kelsey, from committee on Counties, Towns, &c., reported favorably on bill to prevent fishing on Sundays.

INTRODUCTION OF BILLS.

By Mr. McCauley. A bill in relation to delinquent administrators. Referred to judiciary committee.

By Mr. McCauley. A bill in relation to constables. Referred to judiciary committee.

By Mr. Mills. A bill incorporating the Newtonian Society of Rutherford Academy. Referred to committee on corporations.

Mr. Johnston, of Buncombe, by consent, reported from Special Committee to investigate issue of bonds to G. W. Swepson, as follows:

"The committee to whom was referred the messsages of the Governor and Treasurer sent to this House in response to a resolution asking copies of any and all certificates upon which bonds of the State were issued to Geo. W. Swepson, as President of the Western North Carolina Railroad Company, after having had the same under consideration, beg leave to report as follows:

1. That the aggregate amount of bonds so issued, is six million three hundred and sixty-seven thousand dollars.

2. That according to the several acts of the General Assembly authorizing the issuance and appropriation of said bonds to the said Western Division of Western North Carolina Rail-

road Company, there should have been subscribed by solvent individuals, counties, corporations or contractors, the *sum of three million one hundred and eighty-three thousand five hundred dollars* of stock in order to authorize the issuing of the said sum of ($6,367,000) six million three hundred and sixty-seven thousand dollars of bonds, but your Committee, after diligent enquiry and search in the Executive and other departments, have been unable to find any other or further certificates than those set forth in said messages, and which only cover two million dollars of stock subscribed by individuals, corporations, &c., and which would authorize the issue of only four million dollars of bonds; and they find no certificates which authorize the order issued by Gov. W. W. Holden, as President ex-officio of Board of Internal Improvements, dated 2nd day of June, 1869, directing the Treasurer to subscribe on behalf of the State, the sum of two million six hundred and sixty-six thousand dollars to the capital stock of said company.

The Committee would say in justice to Gov. Holden, that he asserts that such certificates was made and filed in the Executive office and ordered to be recorded; but the same nor the record thereof cannot be found. Your Committee do most respectfully recommend that the whole matter be referred to the Attorney General that he may investigate the same, and report as soon as practicable to this House, such actions as in his judgment may be necessary and proper to be taken for the vindication of the rights of the State in the premises.

Respectfully submitted,

Signed, THOS. D. JOHNSTON, *Chmn.*
J. L. ROBINSON,
JAS. M. JUSTICE,
E. B. WITHERS,
J. C. DUCKWORTH,
Committee.

Calendar was taken up, when

Mr. Ashe moved to postpone consideration of the unfinished

business, and S. B. 173, concerning a Convention of the people, was taken up; when

Mr. Ashe moved to adopt the report and called the previous question.

Mr. Mabson called the ayes and noes on call for the previous question. The call was sustained and previous question called. Ayes 59; Noes 35.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atkinson, Broadfoot, Bryson, Clinard, Crawford, Currie, Dickey, Drake, Furr, Gambrel, Gore Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Tomlinson, Waring, Withers, Wilcox, Womack, Woodhouse, Young of Yancey and York—59.

Noes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwyn, Guyther, Hargrove, Hardy, Jones of Northampton, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—35.

Mr. Page called the ayes and noes on adoption of the report, and the report was adopted. Ayes 63; Noes 35.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atkinson, Broadfoot, Bryson, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Page, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of

Anson, Smith of Wayne, Sparrow, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse, Young of Yancey. and York—63.

Noes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Jones of Northampton, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—35

The unfinished business being bill in relation to payment of witnesses in impeachment trial was taken up, when Mr. Withers moved a substitute.

Mr. Ashe moved to refer to committee on Salaries and Fees. Motion to refer did not prevail,

When Mr. Houston moved to refer the whole matter to a special select committee of five, with directions to report to-morrow morning, which motion was adopted.

Leave of absence was granted Mr. Powell till Tuesday next.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. No. 231, to amend section 9 and 10 of laws '68–'69, relating to Western Turnpike Road; H. B. 249, authorizing Commissioners of Polk to levy a special tax; H. B. 102, to provide for appointment of Commissioners of Wrecks in Hyde county; H. B. 257, to incorporate Hiawassee and Cheoah Turnpike Company;" H. B. 273, amending act to restore burnt records in Clay county; and H. R. 165, to appoint a committee to ascertain the debt of the State, as correctly engrossed.

On motion of Mr. Withers, the rules were suspended, and H. B. 336, authorizing the Governor to offer reward for arrest of Henry B. Lowrey and others, was taken up, when Mr. McNeill moved to make bill special order for to-morrow at 11 o'clock.

Mr. Kelsey moved to amend by striking out the words dead or alive, (when the hour of calling court of impeachment having

arrived the managers retired from the hall.) Motion to strike out did not prevail, and bill passed second and third readings and ordered engrossed.

The following special committee was announced from the Chair: Special committee on paying witnesses in the impeachment trial ot Governor Holden.

Messrs. Houston, Hargrove, Withers, Phillips and Ashe.

A message was sent transmitting to the Senate, bills reported from engrossed bill committee, and asking concurrence therein.

A message was received from the Senate, tramsmitting and asking concurrence in the passage of S. B. 338 in relation to printing the statutes; S. B. 40, to repeal certain parts of chap. 70, of laws of 1868–'69; S. B. 151, to punish officers and agents of railroad companies for embezzlement; S. R. No. 149, in favor of Hackney Pool.

S. B. No. 319. To incorporate Trustees ot Yate's Academy.

S. B. No. 201. To amend act to incorporate the Wilmington Steam Fire Engine Company.

S. B. No. 195. To compel Presidents and Directors of the several railroads to account with their successors, for property and effects of said companies; and S. B. No. 253, in relation to town lots in town ot Franklin, N. C.

Bills and resolutions were referred to committees.

Mr. McAfee moved to reconsider the vote by which bill in relation to Robeson county outlaws passed its third reading, and to lay the motion on the table. Motion prevailed.

On motion of Mr. Jones, the rules were suspended, and resolution regarding printing the calendar was taken up, and Mr. Ashe moved to refer to committee on printing, and resolution was referred,

When on motion of Mr. Lyon, the rules were suspended, and resolution regarding evening sessions and recess was taken up, and on motion of Mr. Caawford, laid on the table.

Mr. Copeland moved to suspend the rules to take up "resolution regarding recess," which motion did not prevail.

On motion of Mr. Page, the rules were suspended, and H. B. No. —, "authorizing levy of special tax in Chowan county," the proviso submitting the ratification to the voters of the county, was adopted, and amendment striking out 3,000 and inserting 2,000, did not prevail, and bill passed second reading. Ayes 51; Noes 13.

Ayes—Messrs. Ashe, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Cawthorn, Carson, Collis, Copeland, Darden, Dickey, Drake, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Gambrel, Gatling, Goodwyn, Gullick, Grayson, Guyther, Harris of Guilford, Hargrove, Hardy, Jones of Northampton, Kelsey, Luckey, Lyon, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robinson, Smith of Halifax, Sykes, Tucker, Tomlinson, Willis, Womack, Woodhouse, Young of Wake and York—51.

Noes—Messrs. Anderson, Armstrong, Currie, Gore, Hampton, Henderson, Hill, Joyner of Johnston, Lassiter, Lucas, Marler, Maxwell and Nicholson—13.

On motion of Mr. Ashe, the rules were suspended and S. B. 256, "in relation to Wilmington, Charlotte and Rutherford Railroad Company," was taken up, when he moved to amend section 1, line 13, after the word "March," "or a sufficient number of said bonds to cover at par the hereinafter mentioned five hundred thousand dollars," &c., which was adopted, and the bill passed second and third readings, when Mr. Ashe moved to reconsider and lay on the table. Motion prevailed.

When on motion of Mr. Brown, the House adjourned.

SATURDAY, February 4th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Grayson.

Journal of yesterday read and approved.

MEMORIALS, PETITIONS, &C.

Mr. Henderson presented a memorial from citizens of Cabarras referring to N. C. R. R., opposing any consolidation. Referred to committee on internal improvements.

Mr. Jordan, from Judiciary Committee, reported, asking discharge from further consideration of H. B. 289 "in reference to homestead and personal property exemption," H. B. 325 "to pay expenses for rendition of fugitives from justice in other States."

Mr. Crawford, from committee on Engrossed Bills, reported several bills as correctly engrossed.

Mr. Rankin, from committee on Salaries and Fees, reported on S. B. 243 "in relation to salaries and fees of county officers and clerk of Superior Court," recommending that it be printed and that it do pass. So ordered to print.

Mr. Houston, from Select Committee reported on S. B. 302, a substitute "regarding pay of impeachment witnesses." Placed on the calendar.

Mr. Regan introduced a resolution regarding fertilizers introduced in the State. On the calendar.

Mr. York, a bill "to authorize the commissioners of Wilkes to take privy examination of *femes covert*." Referred to committee on counties, &c.

By Mr. Kelsey, a bill "to incorporate the Warm Springs Colony." On calendar.

By Mr. Mills, a bill "for the relief of the Western N. C. Railroad." Referred to committee on finance.

By Mr. Jones, a bill "for the relief of R. R. McCall, sheriff of Caldwell." On the calendar.

A message was received from the Senate proposing to go into the election of Keeper of the Capitol, and a message was transmitted agreeing to the same, and Messrs. Guyther and Currie were appointed tellers. Calendar.

On motion of Mr. Hill, the rules were suspended and S. B. No. 194, relating to the Library, was taken up; when

Mr. Johnston, of Buncombe, moved to amend by striking out "shall be elected by General Assembly" and insert "shall be appointed by the Speaker of the House of Representatives," when, on motion, the further consideration was postponed to Monday next, at 10 a. m.

The hour for election of Keeper of the Capitol having arrived,

Mr. Sparrow put in nomination as Keeper of the Capitol Mr. Patrick McGowan; Mr. Tomlinson, the name of J. H. Hill; Mr. Furr, James D. Dunn; Mr. Henderson, —— Alexander, of Mecklenburg; Mr. Carson, James D. Pullen; Mr. Mabson, Duncan Holmes; Mr. Rankin, G. M. Isley; Mr. Gregory, J. R. H. Carmer; Mr. Sykes, Thaddeus Butt; Mr. Tucker, Minger G. Croom; Mr. Ellison, Granville Patterson; Mr. Goodwyn, Willis Cheek, when a ballot was taken; whole number of votes cast 133; of which J. H. Hill received 61; Patrick McGowan, 60; scattering, 12; and the tellers reported no election; when a second ballot was taken and Mr. Hill's name was withdrawn, and Mr. McGowan received 96 votes; Mr. Hill, 10; scattering 18; whole number 124, and Mr. McGowan was declared duly elected.

For Mr. McGowan—Messrs. Anderson, Armstrong, Ashe, Broadfoot, Currie, Drake, Dunham, Furr, Gregory, Henderson, Hill, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Davie, Kelsey, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McNeill, Mills, Nicholson, Phillips, Rankin, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Welch, Wilcox, Womack, and Young of Yancey.

For Mr. Hill—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Carson, Clinard, Collis, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Hardy, Houston, Johnson of Edgecombe, Johns, Jones of Northampton, Kincade, Lassiter, Lyon, Mabson, McAllister, McCauley, Morris, Morgan of Montgomery,

Morgan of Wake, Mitchell, Newsom, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker, Tomlinson, Withers, Willis, Woodhouse, Young of Wake, and York.

For Mr. Carmer—Messrs. Atkinson and Joyner of Pitt.

For Mr. Harris—Messrs. Harris of Franklin, Hinnant, and Joyner of Johnston.

For Mr. Alexander—Messrs. Hargrove, Reid and Waring.

2nd Ballot.—For Mr. McGowan—Messrs. Anderson, Armstrong, Ashe, Atkinson, Brooks, Broadfoot, Cawthorn, Carson, Collis, Crawford, Currie, Darden, Drake, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Harris of Guilford, Hardy, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Martin, Marler, McAfee, McAllister, McCauley, McNeill, Morgan of Montgomery, Mills, Mitchell, Nicholson, Phillips, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Waring, Welch, Withers, Womack, Young of Yancey and York.

For Mr. Hill—Messrs. Bryan of Jones, Bunn, Fletcher, Guyther, Jones of Northampton, Newsom, Smith of Halifax, and Tucker.

For Mr. Croom—Messrs. Dudley, Morgan of Wake and Willis.

For Mr. Patterson—Mr. Ellison.

For Mr. Harris—Messrs. Harris of Franklin, Hinnant and Maxwell.

For Mr. Ridley—Messrs. Hargrove and Lyon.

For Mr. Syme—Mr. Justice.

For Mr. Holmes—Mr. Mabson.

For Mr. Simmons—Mr. Robbins.

On motion of Mr. Houston, the rules were suspended and substitute for S. B. No. 302, in relation to payment of witnesses in impeachment trial, was taken up. Mr. York moved to amend by striking out $1,50, and insert $1,00. The amendment was lost and the substitute was adopted and passed

second reading, when Mr. Robinson moved to amend by authorizing the Clerk of the Senate to certify to numbers of miles travelled by witnesses in attendance.

The amendment was adopted and bill passed third reading.

And on motion of Mr. Ashe, the vote was reconsidered and motion to reconsider laid on the table, and a message was sent announcing the passage of the bill, to the Senate.

On motion of Mr. Jordan, the rules were suspended and Senate amendment to ——— bill to levy a special tax in Person county, were concurred in and bill enrolled.

On motion of Mr. Page, the rules were suspended and H. B. to authorize levy of a special tax in Chowan county, was taken up, when Mr. Page moved to strike out the section referring ratification to the voters of the county, which did not prevail and bill passed third reading. Ayes 36; Noes 29.

Ayes—Messrs. Ashe, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Collis, Darden, Drake, Faulkner, Fisher, Fletcher, Gatling, Goodwyn, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Kelsey, Lyon, Mabson, Morris, Morgan of Montgomery, Newsom, Page, Reavis, Robbins, Robinson, Tucker, Willis and Woodhouse—36.

Noes—Messrs. Anderson, Armstong, Clinard, Crawford, Currie, Dickey, Furr, Gore, Gregory, Henderson, Hill Hinnant, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Lassiter, Lucas, Marler, Maxwell, McNeill, Mills, Nicholson, Rankin, Reid, Regan, Shull, Smith, of Wayne and Waring—29.

On motion of Mr. Kelsey, the rules were suspended and bill to incorporate Warm Springs Colony, was taken up and passed second reading, and on motion was referred to committee on corporations with request to report on Monday.

On motion of Mr. Waring, the rules were suspended and H. B. to incorporate the Fair of the Carolinas at Charlotte, was

taken up and passed second reading, and referred to committee on corporations.

On motion of Mr. Robinson, the rules were suspended and H. B. 232, to authorize levy of special tax in Macon county, was taken up on third reading and failed to pass for want of a quorum. Ayes 42; Noes 5.
quorum.

Ayes—Messrs. Anderson, Armstrong, Ashe, Brooks, Bryson, Carson, Clinard, Collis, Currie, Darden, Dudley, Ellison, Fletcher, Furr, Goodwyn, Gullick, Grayson, Guyther, Henderson, Hinnant, Johnson of Edgecombe, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Maxwell, McAfee, McAllister, McCauley, Morris, Morgan of Montgomery, Newsom, Phillips, Robinson, Smith of Anson, Smith of Halifax, Smith of Wayne, Tucker, Woodhouse, Young of Yancey and York—42.

Noes—Messrs. Faulkner, Gore, Hargrove and Shull—4.

Mr. Robinson moved a call of the House, when Mr. Page moved to lay the motion on the table. Motion to table was lost and the roll was called and seventy-six members answered to their names, to-wit:

Messrs. Anderson, Ashe, Brooks, Bryant of Halifax, Bynum, Bunn, Carson, Clinard, Collis, Crawford, Currie, Darden, Dickey, Drake, Faulkner, Fisher, Fletcher, Furr, Gambrel, Garrison, Goodwyn, Gore, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hill, Hinnant, Johnson of Edgecombe, Johns, Joyner of Johnson, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Lyon, Martin, Mabson, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Newsom, Nicholson, Nisson, Page, Phillips, Robbins, Robinson, Settle, Shull, Smith of Halifax, Smith of Wayne, Tucker, Tomlinson, Waring, Wilcox, Womack, Williamson and York—76.

When under suspension of the rules the bill passed 3rd reading. Ayes 75; Noes 5.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atkinson, Brooks, Bryant of Halifax, Bryson, Bunn, Carson, Clinard, Collis, Crawford, Currie, Darden, Dickey, Drake, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Goodwyn, Gore, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Hill, Hinnant, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Lyon, Martin, Mabson, Marler, Maxwell, McAfee, McAllister, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Newsom, Nicholson, Nisson, Reid, Robbins, Robinson, Shull, Smith of Halifax, Smith of Wayne, Tucker, Tomlinson, Waring, Willis, Wilcox, Womack, Woodhouse, Young of Yancey and York—75.

Noes—Messrs. Faulkner, Johnson of Edgecombe, Page, Settle and Smith of Anson—5.

On motion of Mr. Gullick, the rules were suspended and bill "to authorize levy of special tax in Gaston county," was taken up and amendment referring ratification to the voters was concurred in and bill passed second reading. Ayes 60; Noes 1.

Ayes—Mr. Speaker, Messrs. Anderson, Armstrong, Ashe, Atkinson, Brooks, Bryan of Jones, Bryson, Collis, Currie, Darden, Dickey, Drake, Ellison, Furr, Gambrel, Garrison, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Hill, Hinnant, Joyner of Johnston, Joyner of Pitt, Jordan, Kincade, Lassiter, Lucas, Luckey, Lyon, Martin, Mabson, Marler, Maxwell, McAfee, McAllister, McCauley, Morris, Morgan of Montgomery, Newsom, Nicholson, Nisson, Phillips, Reavis, Reid, Robbins, Robinson, Smith of Anson, Smith of Halifax, Tucker, Tomlinson, Waring, Womack, Woodhouse, Young of Yancey, and York.—60.

Noes—Mr. Faulkner—1.

Leave of absence was extended to Mr. Strudwick till Tuesday next.

Mr. Robinson, from committee on Enrolled Bills, reported "act to authorize the levy of a special tax in Person county," as correctly enrolled, and act was ratified.

Mr. Mabson moved to adjourn. Motion lost.

On motion of Mr. Collis, the rules were suspended to take up H. B. 144. Not on calendar.

Mr. Kelly, from committee on Internal Improvements, reported on H. R. No. 135, in relation to Marion and Asheville Turnpike, with report from Superintendent of Public Works on Western North Carolina Turnpike Road. Placed on calendar.

On motion of Mr. Dickey, the rules were suspended and H. B. No. 267, "to amend charter of Cheoah Turnpike Company," was taken up and passed second and third readings and ordered engrossed.

Mr. Settle, by consent, introduced a bill "in favor of sureties to Walker Smith, sheriff of Rockingham county." Referred to committee on propositions and grievances.

Mr. Luckey, by permission, reported from committee on Insane Asylum on H. B. 293, "in relation to Insane Asylum," recommending its passage with amendments.

The Managers of Impeachment as is usual, retired from the hall at 12 M.

On motion of Mr. Brown, the House adjourned.

MONDAY, February 6th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Hardy of the House.

REPORTS OF COMMITTEES.

Mr. McCauley, from committee on Counties, Cities and Towns, reported, asking discharge from consideration of memo-

rial of citizens of Lumberton; favorably on H. B. No. 11, to change line between Caldwell and Watauga counties; on H. B. No. 214, to annex part of Rutherford county to Burke; S. B. No. 253, in relation to the town of Franklin; H. B. No. 332, to authorize commissioners of Yancey to levy a special tax; H. B. No. 197, empowering commissioners to fill vacancies in county offices, asking relief from consideration, there being a bill on the same subject before the committee, and favorably on H. B. 331, to amend chapter 76, of laws of 1869–'70.

Mr. Henderson, from committee on Corporations, reported on H. B. to incorporate the Warm Springs Colony, recommending its passage.

Leave of absence was granted to Mr. Welch on account of sickness.

INTRODUCTION OF BILLS.

Mr. Chamberlain introduced a bill to authorize Dismal Swamp Canal Company to issue bonds. Referred to judiciary committee.

By Mr. McNeill. A bill to prevent the sale of spirituous liquors near Montpelier Church in Robeson county. Referred to committee on propositions and grievances.

Mr. Hargrove moved to grant leave of absence for Mr. French for four days. Granted.

On motion of Mr. Marler, the rules were suspended and S. B. No. 8, to amend an act relating to applications for pardon, was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. Robinson, the rules were suspended and H. B., for the benefit of the Western North Carolina Railroad, was taken up,

When Mr. Jones moved to amend by striking out the name of E. J. Ashton and insert the name of J. W. Ellis.

Mr. Robinson called for division of the question, and motion to strike out did not prevail,

When Mr. Houston offered the amendments, printed with the bill, that representatives of stock for work done shall only be entitled to vote.

When on motion, the special order was postponed for disposition of bill, and first amendment was adopted.

When second amendment to strike out Speaker of the House and insert elected by General Assembly, did not prevail.

Mr. Dudley moved to strike out in section 2, "The Speaker of the House of Representatives," and insert "Governor of the State," and called the ayes and noes. The call was sustained, and amendment lost. Ayes 27; Noes 57.

Ayes—Messrs. Ashe, Bryant of Halifax, Bryan of Jones, Bunn, Collis, Dudley, Faulkner, Fisher, Fletcher, Garrison, Goodwyn, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morgan of of Wake, Newsom, Page Robbins, Smith of Halifax, Willis and Young of Wake—27.

Noes—Messrs. Anderson, Armstrong, Atkinson, Bryson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Gambrel, Gatling, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Mills, Mitchell, Nicholson, Rankin, Reid, Regan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Tomlinson, Waring, Withers, Wilcox, Womack, Woodhouse, Young of Yancey and York—57.

Mr. Justice called the ayes and noes on second reading of the bill. The call was sustained, and bill passed second reading. Ayes 48; Noes 33.

Yeas—Messrs. Anderson, Armstrong, Ashe, Atkinson, Carson, Chamberlain, Clinard, Currie, Dickey, Drake, Furr, Gore, Gullick, Henderson, Houston, Hill, Johns, Jones of Caldwell,

Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Reid, Regan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Tomlinson, Waring, Withers, Wilcox, Woodhouse, Young of Yancey and York—48.

Noes—Messrs. Brooks, Bryan of Jones, Bunn, Cawthorn, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Goodwyn, Guyther, Hampton, Harris of Franklin, Hargrove, Hardy, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Robbins, Smith of Halifax, Tucker, Willis and Young of Wake—33.

Mr. Justice rose to a question of privilege, representing that he was not present at the investigation of alleged frauds in issue of certificates of bonds, yet if the report be true the facts are sufficient to impeach a Governor.

Mr. Ashe, from committee, reported an act to return to Wilmington, Charlotte and Rutherford Road first Mortgage Bonds, as correctly enrolled and it was ratified.

When the unfinished business being S. B. in reference to the Libray of the State, was taken up, the question being on Mr. Johnston's amendment to empower the Speaker of the House to appoint, which was lost.

When Mr. Justice called the ayes and noes on second reading, the call was sustained, and bill passed second reading. Ayes 48, Noes 33.

Mr. Tomlinson moved to suspend the rules to take up a bill. Lost.

On motion of Mr. Bryson, the rules were suspended and bill in relation to salaries and fees was taken up. The question being on amendment to section 6, empowering employment of an assistant of Public Instruction at salary of $1000, Mr. Johns moved a substitute to amendment providing that the assistant be an intelligent colored man, which was lost, when

Mr. Withers moved to amend by inserting "colored" before assistant. The amendment was adopted.

When Mr. McAfee moved a substitute to the section giving Superintendent $1200 and colored assistant at $700 per year.

Mr. Mabson moved to strike out in substitute the word colored.

The Board of Managers with Mr. McAllister (witness,) on impeachment retired at 12 m., to appear at the bar of the Senate.

When on the amendment to substitute, Mr. McAfee called the ayes and noes. The call was sustained and amendment was lost. Ayes 15, Noes 64.

AYES—Messrs. Bryan of Halifax, Bryan of Jones, Faulkner, Fisher, Fletcher, Jones of Northampton, Lucas, Mabson, Morgan of Wake, Mills, Newsom, Page, Robinson, Tucker and Willis—15.

NOES—Messrs. Ashe, Brooks, Bryson, Buxton, Cawthorn, Chamberlain, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Dudley, Ellison, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Hill, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Luckey, Lyon, Marler, Maxwell, McAfee, McCauley, Morris, Morgan of Montgomery, Nicholson, Nisson, Phillips, Rankin, Reavis, Reid, Regan, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Tomlinson, Waring, Withers, Womack, Woodhouse and York—64.

When Mr. Ashe moved to postpone to Thursday at 11 o'clock. Motion did not prevail.

Mr. Robinson in the chair.

After much discussion on the substitute, Mr. Page moved to adjourn; withdrawn.

Leave of absence was granted Mr. Settle for ten days from Wednesday next.

By consent Mr. Jones, of Caldwell introduced a resolution

regarding a map of the State (to be purchased by the Speaker.) Placed on the calendar.

Mr. Page renewed motion to adjourn; motion lost.

When Mr. Tomlinson moved an amendment to the substitute giving superintendent of Public Instruction $1,300. Amendment lost.

Mr. Jones moved to adjourn, when Mr. McAfee gave notice that he would call the previous question at 11 o'clock to-morrow, and Mr. Goodwyn gave notice of an amendment to the substitute, when the motion to adjourn prevailed.

TUESDAY, February 7th, 1871.

The House met at 10 A. M., Mr. Dunham in the chair.

Prayer by Rev. Mr. Atkinson of the city.

On motion leaves of absence were granted Mr. Tucker from Thursday till Tuesday next.

To Mr. Darden from Thursday next for eight days.

To Mr. Willis from Thursday till Tuesday next, and to

Mr. Mills for one week from to-morrow.

Mr. Nisson for four days from Friday next.

On motion of Mr. Gregory leave was granted to Mr. Chamberlain to record his vote in the affirmative on the final passage of the bill to call a convention of the people.

Mr. Jordan by consent recorded his vote in the negative on motion to strike out "colored" in the substitute to section 6 of bill in relation to salaries and fees of State officers.

REPORTS OF COMMITTEES.

Mr. Jordan from Judiciary Committee, reported, asking discharge from further consideration of H. R. 157, authorizing the Governor to offer a reward for the arrest of the Robeson county outlaws; H. R. 144 concerning the Governor of Florida; H.

M. No. 5, concerning a message from the Governor, and H. Petition No. 7, regarding Judge of 8th Judicial District; on S. B. No. 41, to repeal and amend sections in chap. 270, laws of 1868–'69, that it be printed and pass. And unfavorably on H. B. 313, to confer certain powers on justices of the peace; H. B. 300, concerning the writ of *mandamus*; H. B. 301, to amend sec. 1, chap. 168, laws of 1869–'70; H. B. 318, in relation to deeds for real estate, and H. B. 327, to secure the payment of poll tax.

Mr. Broadfoot, from Committee on Corporations, reported favorably with an amendment to H. B. 328 to incorporate the Fair of the Carolinas in Charlotte.

Mr. Rankin, from Committee on Propositions and Grievances, reported favorably on H. B. 319, to prevent felling trees in Yadkin River; an amendment to H. B. 351, to authorize sureties of Walker Smith, sheriff of Rockingham, to collect arrears; unfavorably on S. R. No. 149, in favor of Hackney Pool.

RESOLUTIONS.

By Mr. Jordan. A resolution concerning the report of Adjutant General. Placed on the calendar.

By Mr. Ashe. A resolution in relation to the Penatentiary. Placed on the calendar.

BILLS.

By Mr. Crawford. A bill to compel sheriffs to pay over taxes. Referred to judiciary committee with order to print.

Mr. Ashe, by consent, a resolution concerning redistricting the State. On the calendar.

By Mr. Duckworth. A bill regarding the French Broad and Jones Gap Turnpike Road. Referred to committee on propositions and grievances.

By same. A bill making the French Broad River a lawful,

fence Referred to the committee on propositions and grievances.

By Mr. Broadfoot. A bill concerning the settlement of estates of deceased persons. Referred to judiciary committee.

By Mr. Broadfoot. A bill to amend chapter 67, section 34, of Revised Code of North Carolina. Referred to judiciary committee.

By same. A bill to amend section 73, title 7, of Code of Civil Procedure. Referred to judiciary committee.

By Mr. Waring. Report from committee on Printing, unfavorably on H. R. 168, regarding House Calendar; and favorably on S. B. 338, in relation to printing the statutes.

By same. A bill to grant pardon and amnesty to parties for acts between 1860 and '65. Referred to judiciary committee.

By Mr. Robinson. A bill for the preservation of State publications. Referred to judiciary committee.

By Mr. Collis. A bill to legalize acts of commissioners of Mitchell. Placed on the calendar.

CALENDAR.

On motion of Mr. Kelsey, the rules were suspended and H. B. 352, to incorporate the Warm Springs Colony, was taken up on 3d reading, passed and ordered engrossed.

Mr. Marler asked report from Committee on Internal Improvements, on consolidation of N. C. and N. W. N. C. R. R., to-morrow.

On motion of Mr. Settle, the rules were suspended, and resolution in favor of surities of Walker Smith, sheriff of Rockingham, was taken up, amendmendment reported by committee concurred in, and bill passed 2d and 3d readings, and ordered engrossed.

When, on motion of Mr. Johnston, of Buncombe, the unfinished business was postponed till 11 o'clock, and bill for benefit of W. N. C. R. R., was taken up on 3d reading, and Mr. Justice called the ayes and noes on its passage. The call was sus-

tained and bill was on motion ordered to be read, when Mr. Kelsey moved to amend by requiring that the depot at Asheville shall be within the corporate limits, or near as possible to the corporation.

Amendment was adopted, when Mr. Houston moved to amend by striking out "Speaker of the House of Representatives" and insert "shall be elected by the general assembly." When Mr. Mabson moved amendment not in order, and Mr. Houston withdrew his amendment, and bill passed. Ayes 60; Noes 32.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brown, Bryson, Carson, Chamberlain, Clinard Crawford, Currie, Dickey, Drake, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Houstion, Hill, Johnston of Buncombe, Johns, Joyner of Johnston, Joyney of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell McAfee, McAllister, Mills, Mitchell, Nicholson, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Tomlinson, Waring, Wilcox, Womack, Woodhouse, Young of Yancey and York—60.

Noes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Young of Wake—32.

When on motion of Mr. Johnston, the vote was reconsidered and motion laid on the table.

When on motion of Mr. Mills, the rules were suspended and H. B. No. 214, to change the line between Burke and Rutherford counties, was taken up and passed 2d and 3d readings and ordered engrossed.

The Managers of Impeachment retired at 11 o'clock..

On motion of Mr. Hargrove, bill for relief of Wm. A. Phil-

pot, late sheriff of Granville county, was taken up, amended on motion of Mr. Hargrove, and passed 2d and 3d readings and ordered engrossed.

Mr. Waring moved further suspension of unfinished business, motion failed for want of a quorum.

When announcement was made of invitation to the House to attend temperance oration.

When the unfinished business was taken up, being a substitute to section 6 of bill on Salaries and Fees of State officers.

When Mr. McAfee called the previous question, the call was not sustained.

Mr. Robinson in the chair.

After discussion, the previous question was called, and call sustained.

Mr. Cawthorn called division of the question, and called ayes and noes on the motion to strike out, and the motion did not prevail. Ayes 45; Noes 32.

Ayes—Messrs. Anderson, Atwater, Brown, Bryson, Chamberlain, Clinard, Crawford, Dickey, Drake, Furr, Gatling, Gore, Gullick, Grayson, Harris of Guilford, Houston, Hill, Joyner of Johnston, Joyner of Pitt, Kelsey, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, Mills, Mitchell, Nicholson, Rankin, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Waring, Withers, Wilcox, Womack, Woodhouse and York—45.

Noes—Messrs. Armstrong, Bryant of Halifax, Bunn, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher Gambrel, Goodwyn, Guyther, Hampton, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Young of Wake—32

Leave of absence was granted, on motion, to Mr. Smith, of Halifax, from Thursday next till Tuesday following; when

Mr. Justice called the ayes and noes on adoption of the substitute, and it was not adopted. Ayes 35; Noes 43.

AYES—Messrs. Anderson, Armstrong, Atwater, Brooks, Bryson, Carson, Chamberlain, Clinard, Dickey, Drake, Gatling, Gore, Grayson, Hampton, Harris of Guilford, Houston, Johns, Joyner of Johnston, Joyner of Pitt, Kelsey, Kincade, Lassiter, Marler, Maxwell, McAfee, Nicholson, Rankin, Regan, Smith of Anson, Smith of Wayne, Waring, Withers, Woodhouse, Young of Yancey and York—35.

NOES—Messrs. Brown, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, Gambrel, Gullick, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Martin, Mabson, McAllister, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Robinson, Smith of Halifax, Sykes, Tucker, Tomlinson, Willis, Womack and Young of Wake--43.

Section 7 being taken up, Mr. Marler moved to strike out in line 2, $1,500 and insert $1,200. Motion did not prevail, and section 7 was adopted without amendment.

Section 8 was then read and adopted.

Mr. Rankin moved an additional sections to come in between section 9 and 10; when

Mr. Ashe, by permission, reported from committee on Enrolled Bills "An act concerning a convention of the people."

"An act creating a commission to enquire into charges of fraud and corruption."

"An act in relation to the pay of witnesses attending the Court of Impeachment.

"An act to amend an act to regulate the manner of applying for pardons, chap. 171, ratified March 28th, 1870," and they were ratified.

Leave of absence was granted Mr. Woodhouse for one week from to-morrow; when

On motion of Mr. Hargrove, the House adjourned.

WEDNESDAY, February 8th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Grayson, of the House.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Jordan, from Judiciary Committee, reported favorably on H. B. No. 325, "authorizing payment of expenses on requisition for fugitives from justice."

Mr. Crawford, from Committee on Engrossed Bills, reported H. B. 268, "to authorize commissioners of Rowan county to levy special tax;" H. B. 232, "to authorize commissioners of Macon county to levy a special tax;" H. B. 267, "to amend charter of Cheoeh Turnpike Company," and H. B. No. 308, "in favor of Wm. A. Philpot, sheriff of Granville county," as correctly engrossed, and a message was sent transmitting the same to the Senate and asking concurrence therein.

INTRODUCTION OF RESOLUTIONS.

By Mr. Shull, a resolution "in favor of night sessions." On calendar.

BILLS.

By Mr. Houston, a bill "in favor of J. Cline, sheriff of Catawba. Referred to committee on propositions and grievances.

By Mr. Ashe, a bill "to regulate voting in counties whose lines have been changed." Referred to committee on counties, &c.

By Mr. Martin, a bill "in reference to election of commission

ers of navigation, &c., at Beaufort." Referred to committee on propositions and grievances.

By Mr. Shull, a "resolution of instruction to finance committee."

By Mr. Waring, a bill "to amend act to incorporate the Bank of Mecklenburg." Referred to committee on corporations.

CALENDAR.

On motion of Mr. Jordan, the unfinished business was postponed till 12 o'clock, and resolution relating to the Adjutant General was taken up and adopted.

On motion of Mr. Womack, the rules were suspended and bill to incorporate Yates Academy Trustees in Chatham county, was taken up and passed second and third readings, and ordered engrossed.

On motion of Mr. Carson, the rules were suspended, and S. B. 194, in relation to the Library, on third reading, was taken up, and Mr. Ashe moved to amend by allowing a librarian for the Supreme Court with a salary of $250, and to recommit. Bill was recommitted.

Leave of absence was granted Messrs. Falkner and Jones from Saturday till Tuesday next.

On motion of Mr. Young, of Yancey, the rules were suspended and H. B. No. ——, in reference to expenses for fugitives from justice, was taken up and passed second and third readings, and ordered engrossed.

Mr. Kelly, from Committee on Internal Improvements, by consent, reported favorably on S. B. 195, to compel Presidents and Directors to account for property of several Railroads, and asked further time to report on consolidation of W. N. C. & N. C. Railroad.

On motion of Mr. Ashe, the rules were suspended, and S. R. No. 48, regarding special tax on spirituous liquors and tobacco was taken up, and Mr. Withers moved to strike out

the word "whiskey." Motion lost, and resolution was adopted.

Mr. Ashe moved to suspend the rules to take up S. R. No. 60, regarding assets of the State. Mr. Withers objected and motion did not prevail.

And Calendar was taken up, and S. R. No. 60, regarding assets of North Carolina was taken up and passed.

S. R. on second reading, declaratory of sense of the people regarding homestead exemption and right of suffrage, &c., was taken up and adopted. Reconsidered and motion to reconsider tabled.

S. R. regarding pages was taken up and passed second and third readings.

H. B. on third reading "to authorize levy of special tax in Gaston," was taken up and passed third reading. Ayes 70; Noes none.

Ayes--Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Bryant of Halifax, Bryson, Carson, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling, Gregson, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, Morris, Morgan of Montgomery, Newsom, Nicholson, Nisson, Phillips, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Scott, Shull, Smith of Wayne, Stanford, Stewart, Tucker, Tomlinson, Withers, Womack, Young of Wake, Young of Yancey, and York—70.

S. B. on third reading, "to repeal and amend sections of chapter 170 of laws of 1868-'69," was taken up and ordered to be printed.

S. R. on third reading, raising "committee to enquire into sale of State's interest in Cape Fear Navigation Company," was taken up and postponed one week.

Leave of absence was granted Mr. Gore from Friday till Tuesday next.

Mr. Henderson was reported absent on account of sickness.

H. B. on second reading "to define duties of Judges of Superior Courts &c," was taken up and referred to judiciary committee.

H. B. on second reading, "authorizing justices to take privy examination of *feme covert*," was taken up and on motion postponed indefinitely.

H. B. on second reading, "in favor of A. S. Hill, sheriff of Cherokee," was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Robinson, to suspend the rules to make "resolution in favor of M. A. Bledsoe" special order, Mr. Justice called the ayes and noes which call did not prevail, and resolution was made special order for Friday at 11 o'clock.

H. B. 226 on second reading, a bill in relation to public instruction, was taken up and amendment reported by committee on education adopted, and bill passed second and third reading and ordered engrossed.

Mr. McCaulay, from Committee on Counties, Cities and Towns, reported a substitute to H. B., "to lay off and establish the county of Swain."

A message was received from the Senate transmitting H. B. No. 160, "for relief of sheriffs, with amendments, engrossed.

H. B. 336, "empowering the Governor to offer reward for arrest of Henry B. Lowry and others," with amendments; and H. B. No. 47, "to incorporate the North Carolina Railroad and Manufacturing Company," with amendments, and asking concurrence therein; when

S. B. No. 370 was taken up, and Senate amendments were concurred in, and bill ordered enrolled.

Bill for general relief of sheriffs was taken up, and Senate amendments were concurred in, and bill ordered enrolled.

"An act to incorporate the North Carolina Railroad and

Manufacturing Company" was taken up, and Senate amendments concurred in, and ordered enrolled.

When a message was received from the Senate transmitting and asking concurrence in the passage of S. B. No. 272, "an act in relation to public lands."

S. B. No. 320, "to allow commissioners of Bertie county to levy a special tax."

S. B. No. 293, "to repeal certain sections of an act to organize the militia of the State."

S. B. No. 167, "to change the corporate boundaries of the town of Lexington."

S. R. No. 285, "in favor of Benj. A. Howell, late sheriff of Robeson county, and

S. B. No. 138, "to establish Whiteside Mountain Turnpike." The bills and resolution were referred.

Leave of absence was granted Mr. Smith, of Wayne, from Friday till Tuesday.

When the unfinished business being the adoption of section 9 "of bill in relation to salaries and fees of state officers" was taken up and adopted, when the section proposed by Mr. Rankin in reference to salary of Superintendent of Insane Asylum and Keeper of the Capitol was considered, amendment regarding salary of Superintendent of Insane Asylum was withdrawn, when Mr. Cawthorn moved to amend by striking out "that the Keeper of the Capitol shall be *ex-officio* Doorkeeper of the Senate."

The amendment was withdrawn and section 10 was adopted without amendment.

When section 11 was read and adopted.

Section 12 was read, when

Mr. Rankin moved to amend by inserting a substitute which was adopted.

When Mr. Rankin moved to amend section 13, by striking out all after the word "ratification," the amendment was adopted and section passed.

BILL ON SECOND READING.

When Mr. Ashe moved to amend section 4, allowing an Auditor's clerk with salary of $900, which prevailed.

Mr. Withers moved to amend by inserting as section 6 "the annual salary of the Superintendent of Public Instruction shall be $1,500;" being in substance the same as one striken out it was ruled not in order,

When he moved to reconsider the vote by which the section was stricken out, and motion prevailed.

Mr. Robinson moved to strike out the word "colored," (withdrawn.)

Mr. Justice called the ayes and noes on striking out section 6.

The call was sustained and section was stricken out for a second time. Ayes 48; Noes 37.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Drake, Furr, Gatling, Gore, Gullick, Grayson, Harris of Guilford, Hill, Hinnant. Joyner of Johnston, Joyner of Pitt, Kelsey, Kincade, Lassiter, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tomlinson, Waring, Withers, Wilcox, Womack and York—48.

Noes—Messrs. Bryant of Halifax, Bunn, Buxton, Cawthorn, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Fisher, Fletcher, Gambrel, Garrison, Goodwyn, Guyther, Hampton, Hargrove, Hardy, Johnson of Edgecombe, Johns, Jones of Northampton, Justice, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Tucker, Willis and Young of Wake —37.

Mr. Waring moved to refer to a special committee of three. Motion was lost and bill passed second reading.

Mr. Robinson, by consent, introduced a resolution allowing

use of Commons Hall to Hon. S. F. Cary, to-morrow. The rules were suspended and resolution was adopted.

Mr. Shull moved to suspend the rules to take up resolution in favor of night sessions. Motion lost.

Mr. Ashe moved to suspend the rules to take up S. R. in relation to three terms of the Superior Courts. Motion lost.

Mr. Dudley moved to adjourn. Motion Lost.

CALENDAR RESUMED.

H. B. No. 11, to change the line between Caldwell and Watauga counties, was taken up and passed second reading.

Mr. Marler moved to suspend the rules to take up H. B. No. 296. Motion lost.

Mr. Nicholson moved to suspend the rules to take up S. B. to print the statutes. Motion lost.

H. B. on second reading to cause examination by Supreme Court of applicants to practice law, was taken up and recommitted to judiciary committee.

Mr. Robinson, by consent, introduced a resolution in regard to printing an act suspending Code of Civil Procedure, which, upon motion of Mr. Hargrove was adopted.

H. B. No. 21, on 2nd reading, in relation to taking fish in Contentnea creek, and Neuse river, was taken up, and substitute reported from committee was adopted,

When Mr. Bryan, of Jones, moved to indefinitely postpone consideration.

Mr. Justice, to lay the matter on the table, and motion prevailed.

Mr. Dudley moved to adjourn, and motion did not prevail.

H. B. on second reading "bill making ten hours a day work," was taken up and laid on the table, upon motion.

Mr. Brown moved to suspend the rules to take up a bill. Motion lost.

Mr. Goodwyn moved to adjourn. Mr. Marler called the

ayes and noes. The call was sustained and motion lost. Ayes 6; Noes 58.

Ayes—Messrs. Bryan of Jones, Bunn, Johnson of Edgecombe, Joyner of Johnston, Stanford, Tucker and Womack—6.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Brown, Cawthorn, Clinard, Copeland, Currie, Darden, Dickey, Drake, Ellison, Faulkner, Furr, Gambrel, Garrison, Gullick, Grayson, Hampton, Hargrove, Hardy, Houston, Hill, Hinnant, Johns, Joyner of Pitt, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Marler, Maxwell, McAfee, McAllister, McCauley, Morris, Morgan of Montgomery, Nicholson, Phillips, Paylor, Powell, Reavis, Reid, Robbins, Robinson, Shull, Smith of Anson, Smith of Halifax, Stewart, Tomlinson, Waring, Withers, Willis, Young of Yancey and York—58.

H. B. No. 42, "to authorize the commissioners of Henderson county to sell poor lands," was taken under consideration.

Mr. Hill moved to lay on the table. Motion prevailed.

Mr. Hampton moved to suspend the rules to take from the table a bill. Motion lost.

H. B. on second reading "to prevent the felling of trees in Little river in Johnson county," was taken up and passed second and third readings and ordered engrossed.

Mr. Brown moved to adjourn, and motion prevailed.

THURSDAY, February 9th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Grayson, of the House.

Leaves of absence were granted Messrs. Brown and Clinard for four days from Friday; Mr. Kincade, for eight days; Mr. McAfee, from Saturday for one week, and Mr. Luckey, from Saturday morning till Tuesday next.

MEMORIALS AND PETITIONS.

By Mr. Withers. A petition from citizens of Caswell. Referred to committee on propositions and grievances.

By Mr. Ashe. A memorial from citizens of Wilmington, in reference to Special Court. Referred to judiciary committee.

REPORTS OF COMMITTEES.

Mr. Withers, from Judiciary Committee, reported on H. B. No. 304, to amend section 199, chapter 4, of Code of Civil Procedure, recommending its passage; favorably on H. B. 299, to regulate powers of township boards of trustees and to amend chapter 185, of public laws of 1868–'69; and on H. B. 246, to amend sections 28 and 29, chapter 3, of an act of 1868–'69, of proceedings in criminal cases.

Mr. McCauley, from committee on Counties, Towns, &c., reported favorably on H. B. 367, to regulate voting in counties whose lines are changed; and H. B. No. 348, to authorize Commissioners of Wilkes to take privy examination of *femes covert.*

Mr. Kelly, from committee on Internal Improvements, reported favorably on bill to establish Whiteside Mountain Turnpike Road; on S. B. No. 38, to allow the purchase and consolidation of W. N. C. Railroad by N. C. Railroad, recommending that it do not pass; and favorably on H. B. No. 277, to amend chapter 166, of laws ratified March 26th, A. D. 1870.

Mr. Ashe, from Committee on Finance, reported, asking discharge from consideration of report of Public Treasurer; H. R. No. 31, "asking report concerning special tax money;" H. B. No. 154, "an act to pay the State debt;" and H. R. 121, "to restore the credit of the State;" (request was granted,) also on H. B. 223, "concerning preservation of the health of Beaufort;" and H. R. No. 131, "in favor of sheriff of Bladen," recommending passage with amendments.

Mr. Crawford, from Committee on Engrossed Bills, reported H. B. No. 214, "to annex part of Rutherford county to Burke, as correctly engrossed.

RESOLUTIONS INTRODUCED.

Mr. Johnston, of Buncombe, asked leave to introduce an additional article of impeachment against William W. Holden, Governor of the State of North Carolina, to-wit:

ARTICLE IX. That said William W. Holden, Governor of the State of North Carolina, unmindful of the duties of his office and the interests of the State, did on or about the 9th day of June, A. D. 1869, wilfully, corruptly, unlawfully and in violation of his oath of office, and under color of his said office, and conspiring with one George W. Swepson and other evil disposed persons, to defraud the State of North Carolina, sign and issue as President *ex-officio* of the Board of Internal Improvements, an order directing the Treasurer of the State to subscribe on behalf of the state, the sum of two millions six hundred and sixty-six thousand dollars, and to issue bonds of the State to that amount to the Western Division of the Western N. C. Railroad Company, although the said William W. Holden, Governor as aforesaid, well knew that the President of the said railroad company had not as was required by law certified to said board of internal improvements, that solvent individuals, corporations, companies or contractors had subscribed to the capital stock of said company a sufficient amount to authorize the issuing of said sum of two million six hundred and sixty-six thousand dollars, and that five per cent. thereof had been paid in cash as was required by law; and that the said William W. Holden, Governor as aforesaid, in further disregard of his said oath of office and the interest of the people of the State, and conspiring with one George W. Swepson and other evil disposed persons to wrong and defraud the State of North Carolina, did, as President *ex officio* of the Board of Internal Improvements, sign and issue an order to the Treasurer of the State directing him to subscribe

on behalf of the State the sum of four million dollars, and to issue bonds of the State to that amount and deliver them to the President of the Western Division of the Western North Carolina Railroad Company, when the said W. W. Holden, Governor as aforesaid, well knew that the certificates made to said Board of Internal Improvements by Geo. W. Swepson, President of said road, that one million six hundred and ninety-two thousand dollars had been subscribed by solvent individuals, corporations, &c., to the capital stock of said railroad company, and that five per cent. thereof had been paid in cash as required by law was false and fraudulent, and was made by said Geo. W. Swepson, President as aforesaid, in furtherance of the wicked and unlawful designs of the said Geo. W. Swepson, W. W. Holden, Governor as aforesaid, and others, to wrong and defraud the good people of the State; whereby the said William W. Holden, Governor as aforesaid, has brought his said office of Governor into contempt, and was then and there in manner and form aforesaid guilty of misconduct in office, and of high crimes and misdemeanors in office against the Constitution and laws of said State, and against the peace, dignity and interests thereof.

Mr. Johnston offered a resolution referring the aforesaid article to committee on impeachment.

By Mr. Marler, a resolution in regard to adjournment of daily sessions. On the calendar.

Mr. Ashe, by consent, reported from finance committee.

BILLS.

By Mr. Collis, "a bill authorizing levy of special tax in Mitchell." Referred to committee on counties, cities and towns.

By Mr. Justice, "a bill to amend act to call a Convention of the people, passed February —, 1871," and asked that it be

printed. Motion to print did not prevail, and bill referred to committee on constitutional reform.

By Mr. Joyner, of Pitt, a bill "in reference to Pit Academy." Referred to committee on corporations.

Mr. Marler moved to suspend the rules to take up a bill. Rules were not suspended, no quorum voting.

Mr. Robinson moved to suspend the rules to take up resolution regarding 9th Article of Impeachment, and called the ayes and noes. Rules were suspended. Ayes 71; Noes 22.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Buxton, Carson, Collis, Crawford, Currie, Darden, Dickey, Drake, Dunham, Fletcher, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Hardy, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Newsom, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Sykes, Tomlinson, Waring, Withers, Wilcox, Womack, Young of Yancey and York—71.

Noes—Messrs. Bunn, Cawthorn, Copeland, Dudley, Ellison, Faulkner, Garrison, Goodwyn, Guyther, Harris of Franklin, Hargrove, Johnson of Edgecombe, Jones of Northampton, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Page, Reavis, Robbins, Williamson and Young of Wake—22.

Mr. Page called the ayes and noes on adoption of the resolution, and resolution was adopted. Ayes 74; Noes 9.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Buxton, Collis, Crawford, Currie, Darden, Dickey, Drake, Dunham, Ellison, Fletcher, Furr, Gambrel, Gatling, Goodwyn, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey,

Martin, Marler, Maxwell, McAfee, McAllister, McCauley, Morgan of Montgomery, Morgan of Wake, Mitchell, Nicholson, Nisson, Page, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford, Sykes, Withers, Wilcox, Womack and Young of Wake—74.

Noes—Messrs. Bunn, Cawthorn, Copeland, Dudley, Faulkner, Garrison, Johnson of Edgecombe, Mabson and Morris—9.

Mr. Bryson moved to suspend the rules to take up a bill. Motion lost.

On motion of Mr. Houston, the rules were suspended and bill authorizing sheriffs to pay over money collected for educational purposes, was taken up, when Mr. Hill moved a substitute to the bill, which was ordered to be printed and made special order for February 14th.

Mr. Dickey moved to suspend the rules to take up a bill. Motion prevailed. Bill not on the calendar. Then found to be "a resolution in favor of W. J. A. Strange," which passed second and third readings and ordered engrossed.

Mr. Bryson renewed a motion to suspend the rules, and on his motion, H. B. No. 72 and H. B. 309 were recommitted to Committee on Internal Improvements.

Mr. Reid moved suspension of the rules to take up H. B. 328, "to incorporate the Fair of the Carolinas in Charlotte, N. C." Bill was taken up and amendment proposed by committee was not adopted, and bill passed third reading; when

On motion of Mr. Waring the vote was reconsidered, and motion laid on the table.

Mr. York moved to suspend the rules for the purpose of taking up a bill. Motion did not prevail.

Mr. Marler moved to suspend the rules to make a bill special order. (S. B. 38.) Motion prevailed,

And Mr. Marler moved to print and make special order for Wednesday week. Motion prevailed.

Mr. Martin moved to suspend the rules to take up H. B. No. 218. No quorum voting.

Mr. Nicholson, called the ayes and noes. Not sustained.

The motion was renewed and rules were suspended. Bill not on the calendar, and Mr. Martin withdrew his motion to suspend the rules,

When Mr. Houston moved to suspend the rules to take up bill "on Salaries and Fees of State officers." Lost for want of a quorum.

Mr. Nicholson renewed the motion to suspend the rules and called the ayes and noes. The call was sustained and rules suspended. Ayes 50; Noes 19.

Ayes—Messrs. Anderson, Armstrong, Atkinson, Bryant of Halifax, Bryan of Jones, Bryson, Buxton, Cawthorn, Collis, Copeland, Darden, Dickey, Drake, Ellison, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hardy, Henderson, Houston, Hill, Joyner of Johnston, Joyner of Pitt, Kelsey, Kincade, Lucas, Luckey, Martin, Marler, Maxwell, Nicholson, Phillips, Paylor, Reid, Robbins, Sykes, Tomlinson, Willis, Wilcox, Womack, Young of Wake and York—50.

Noes—Messrs. Ashe, Brooks, Bunn, Crawford, Dudley, Hargrove, Hinnant, Johnson of Edgecombe, Mabson, McAfee, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Reavis, Regan, Shull and Smith of Anson—19.

And "bill relating to Salaries and Fees of State officers" was taken up on third reading, and Mr. Goodwyn offered as section 6, giving Superintendent of Public Instruction $1,500 with an assistant and salary of $1,000,

When Mr. Anderson moved a substitute giving salary of $1,500 to Superintendent of Public Instruction, without an assistant.

When substitute was adopted as section 6.

Mr. Withers moved to amend section 5 line 2, to insert $300 instead of 50 cents, in effect giving Superintendent of Public Works $300 as annual salary.

Motion to amend did not prevail for want of a quorum.

Mr. Crawford moved a call of the House.

Mr. Hargrove moved to adjourn. Withdrawn,

And motion to call the roll did not prevail

When bill passed third reading, and ordered engrossed as amended,

When Mr. Tomlinson moved to suspend the rules for introduction of a resolution.

Motion did not prevail.

Mr. Robinson in the chair.

H. B. on second reading, "to render valid acts of certain officers in the State," was taken up and amendment offered by committee adopted, and bill passed second and third readings and ordered engrossed.

H. B. on second reading, bill in regard to voting on separate ballot, was taken up and Mr. Sykes moved to lay on the table. Motion lost.

Mr. Dudley asked the ayes and noes, and bill passed second reading. Ayes 55; Noes 24.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atkinson, Brooks, Bryan of Jones, Bryson, Collis, Crawford, Currie, Darden, Dickey, Drake, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Hampton, Henderson, Houston, Hill, Hinnant, Johns, Joyner of Johnston, Joyner of Pitt, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, Morris, Mitchell, Nicholson, Paylor, Powell, Regan, Robinson, Scott, Shull, Smith of Wayne, Stanford, Tomlinson, Waring, Withers, Wilcox, Womack, Young of Yancey and York—55.

Noes—Messrs. Bryant of Halifax, Bunn, Cawthorn, Copeland, Dudley, Ellison, Fisher, Fletcher, Garrison, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Justice, Morgan of Wake, Newsom, Phillips, Reavis, Robbins, Sykes, Williamson and Young of Wake—24.

Mr. Houston moved to suspend the rules and put the bill on third reading. Motion prevailed.

When Mr. Sykes moved to print and make special order for Thursday next. Motion did not prevail and amendment was lost.

Mr. Ellison called the ayes and noes on bill regarding vote on separate ballot, and bill passed third reading. Ayes 61; Noes 26.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Buxton, Collis, Crawford, Currie, Darden, Dickey, Drake, Duckworth, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johns, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, Morris, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Strudwick, Tomlinson, Waring, Withers, Wilcox, Womack, Young of Yancey and York—61.

Noes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Morgan of Wake, Newsom, Reavis, Robbins, Sykes, Williamson and Young of Wake—26.

When, on motion of Mr. Marler, the vote was reconsidered and motion tabled.

S. B. No. 338, in relation to printing the statutes, was taken up and bill passed second and third readings and ordered enrolled.

H. B. on second reading, authorizing commissioners of Yancey to levy special tax, was taken up and passed second reading. Ayes 56; Noes 5.

Ayes—Messrs. Anderson, Armstrong, Atwater, Brooks, Bryson, Cawthorn, Collis, Copeland, Currie, Darden, Dickey, Drake, Fisher, Furr, Gambrel, Gore, Grayson, Guyther, Hargrove, Hardy, Henderson, Hill, Hinnant, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelsey, Kincade, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Mitchell, Paylor, Powell, Rankin, Regan, Robbins, Robinson, Shull, Smith of Anson,

Smith of Wayne, Stanford, Stewart, Sykes, Tomlinson, Waring, Withers, Womack, Young of Yancey and York—56.

Noes—Messrs. Ellison, Faulkner, Johnson of Edgecombe, Reavis and Williamson—5.

H. B. No. —, on second reading, a bill making the South Yadkin river a lawful fence in Rowan and Davie was taken up and passed second and third readings and ordered engrossed.

Mr. Reavis moved to adjourn. Motion lost.

H. B. on second reading, a bill to repeal an act providing for the holding of municipal elections in North Carolina.

Mr. Hargrove moved to postpone indefinitely, motion did not prevail, when Mr. Tomlinson moved to refer to judiciary committee. Motion prevailed.

Mr. Harris, of Franklin, moved to suspend the rules to take up a bill. Motion prevailed, and bill to amend chapter 168, section 1st, of laws of 1869–'70, was taken up, and Mr. Guyther moved to strike out "ten" and insert "three."

Mr. Harris moved non-concurrence in report of Committee. Motion prevailed, and amendment of Mr. Guyther adopted, and bill passed second and third reading, and ordered engrossed and sent to the Senate.

On motion of Mr. Collis, the rules were suspended and H. B. No. 357, to legalize act of commissioners of Mitchell was taken up, when Mr. Ellison moved to adjourn. Motion did not prevail.

Mr. McAfee moved to refer to Committee on Counties, Cities, Towns, &c.

Motion withdrawn, and bill passed second and third readings, and ordered engrossed.

Mr. Page moved to adjourn.

Mr. Nicholson called the ayes and noes.

Motion to adjourn withdrawn.

H. B. on second reading, a bill to establish the county of Swain was taken up, when Mr. Tomlinson moved to adjourn, and motion prevailed.

FRIDAY, February 10th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair, and was opened with prayer by the Rev. Mr. Grayson of the House.

A message was received from the Senate transmitting and asking concurrence in the passage of S. B. to change the line between Edgecombe and Nash counties; and H. B. 142, as amended by the Senate.

Leave of absence was granted Mr. Bryan, of Jones, for one week, Mr. McAllister for one day.

REPORTS OF COMMITTEES.

Mr. Powell, from committee on Engrossed Bills, reported H. B. 43, to prevent felling trees in Little river; H. B. 226, to amend act to provide system of public instruction; H. B. to authorize Treasury to pay expenses for recovery of fugitives from justice; H. B. 220, to authorize A. S. Hill to collect arrears of taxes; and H. B. 352, to incorporate Warm Spring Colony, as correctly engrossed.

And a message was sent transmitting the same to the Senate and asking concurrence therein.

Mr. Henderson, from committee on Corporations, reported H. B. 377, "to appoint trustees of Pitt Academy;" S. B. 260, "to incorporate Atlantic, Tennessee and Ohio Railroad Company;" amendatory, S. B. No. 201, "to incorporate Wilmington Steam Fire Engine Company;" H. B. 310, "to incorporate the town of Burnsville, in Yancey;" S. B. No. 8, "to incorporate Mechanics Association of Wilmington;" H. B. 337, "to incorporate Newtonian Society of Rutheford Seminary;" H. B. 330, "to incorporate Roanoke and Tar River Agricultural Society;" H. B. 335, "concerning the Louisburg Manufacturing Company;" H. B. 334, "to authorize a toll bridge across the Yadkin river near Elkin;" H. B. 366, "to

amend an act to incorporate bank of Mecklenburg," and H. B. 333, "to lay out and construct a road from Sparta to the Virginia line," recommending that they all do pass.

Mr. Luckey, from committee on Insane Asylum, reported unfavorably on H. R. No. 139, "to pay Clay county for keeping her insane."

Mr. Rankin, from committee, on Propositions and Grievances, reported H. B. 369, "in favor of J. Cline, sheriff of Catawba county," favorably, with amendments.

H. B. 364, to repeal "an act declaring Brevard, French Broad and Jones Gap road a turnpike," favorably with amendments; H. B. 363, "an act to make the French Broad river a lawful fence in Transylvania county," recommending its passage.

INTRODUCTION OF RESOLUTIONS.

By Mr. Tomlinson, a resolution relating to insane asylum. Referred to committee on asylum.

BILLS.

By Mr. Tomlinson, a "bill relating to asylum for Deaf, Dumb and Blind." Referred to joint committee.

Mr. Hill, from Committee on Library, by consent, reported on S. B. No. 194, "in relation to the library," recommending its passage with amendments.

Mr. Dickey. A bill "to incorporate Georgia and N. C. R. R. Company." Referred to committee on internal improvements.

Mr. McCauley. A bill "in relation to married women's dower." Referred to judiciary committee.

By Mr. Houston. A resolution in favor of Jonas W. Derr, of Lincoln." Referred to committee on claims.

Leaves of absence were granted the following members: Mr. Maxwell for six days from February 11th; Mr. Furr from today till Thursday next.

THE UNFINISHED BUSINESS,

Being "the establishment of the county of Swain," on third reading was taken up, when the substitute reported by the committee on counties, &c., was adopted,

When Mr. Ellison called the ayes and noes, the call was sustained and bill passed third reading.

When Mr. McAfee moved to reconsider the vote by which the bill passed third reading and to lay the motion on the table, and the motion prevailed.

A message was received from the Senate transmitting a "resolution in favor of Wm. Smith, and asking concurrence therein. Resolution referred to committee on propositions and grievances.

The Managers of Impeachment retired from the Hall at 11 a. m.

Mr. Ashe, by consent, reported the following bills as correctly enrolled, and they were ratified, to-wit:

"An act to incorporate the Trustees of the Yates Academy, in Chatham county.

Resolution in regard to pages.

"An act to incorporate North Carolina Railroad and Manufacturing Company,"

And "an act in relation to printing the statutes."

When the special order being S. R., in favor of M. A. Bledsoe, was taken up, when Mr. Ashe moved to amend section 1st, by striking out all that part allowing interest on claim.

Mr. Justice moved to lay the matter on the table, and called the ayes and noes. Motion failed. No quorum. Ayes 26; Noes 32.

Ayes—Messrs. Bryan of Jones, Bunn, Collis, Copeland, Darden, Dudley, Duckworth, Garrison, Gullick, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Houston, Johnson of Edgecombe, Justice, Kelly of Davie, Luckey, Lyon, McCauley, Morris, Morgan of Montgomery, Newsom, Page and Stanford—26.

Noes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Cawthorn, Chamberlain, Currie, Dickey, Drake, Fisher, Furr, Gambrel, Gatling, Grayson, Hill, Hinnant, Joyner of Pitt, Jordan, Kelsey, Lassiter, Mitchell, Nicholson, Phillips, Powell, Robinson, Smith of Anson, Stewart, Tomlinson, Waring, Womack and Williamson—32.

When a message was sent to the Senate, transmitting S. B. 79, in relation to salaries and fees of State officers, with engrossed House amendments, and asking concurrence; when Mr. Ashe's amendment to resolution was put, and failed to pass for want of a quorum.

Mr. Waring moved to postpone till Monday week.

Mr. Hargrove moved to postpone indefinitely. Motion did not prevail.

On motion to postpone till Monday week, Mr. Waring moved to amend by inserting Wednesday next instead of Monday week. Lost for want of a quorum.

When a message was received from the Governor, with report of Adjutant General, relating to names of spies, detectives, &c.

Mr. Jordan moved reference to special committee of five, to be appointed by the Speaker.

A message was received from the Senate transmitting and asking concurrence in the passage of S. B. 250, "relating to immigration into the State." Referred to committee on immigration.

S. B. No. 222, to charter the Citizen's Bank. Referred to committee on corporations.

Mr. Waring renewed his motion to postpone, and called the ayes and noes. Call was not sustained, and motion to postpone prevailed.

Mr. Waring moved to suspend the rules to take up a bill. Motion lost.

Mr. Houston moved the tender of the Hall to Hon. S. F. Carey, for lecture to-morrow night. Calendar.

H. B. on third reading, "to levy special tax in Yancey

county," was taken up and passed third reading. Ayes 62; Noes 2.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atkinson, Brooks, Bryan of Jones, Bryson, Bunn, Chamberlain, Collis, Copeland, Currie, Darden, Dickey, Drake, Ellison, Fisher, Fletcher, Furr, Gambrel, Garrison, Goodwyn, Gullick, Grayson, Guyther, Hampton, Hargrove, Hardy, Henderson, Hill, Joyner of Pitt, Jordan, Justice, Kelsey, Lassiter, Lucas, Luckey, Marler, Maxwell, McCauley, Morris, Morgan of Montgomery, Newsom, Page, Phillips, Paylor, Powell, Rankin, Robbins, Robinson, Shull, Smith of Anson, Stanford, Stewart, Sykes, Tomlinson, Waring, Withers, Womack, Williamson, Young of Wake and Young of Yancey—62

Noes—Messrs. Cawthorn and Dudley—2.

Mr. Robinson in the chair.

On motion of Mr. Rankin, the rules were suspended, and H. B. 304 was taken up, "to repeal act making French Broad and Jones Gap Road a turnpike," and passed second and third readings and ordered engrossed.

H. B. 363, "to make the French Broad river a lawful fence in Transylvania." under suspensiod of the rules, was taken up and passed second and third readings and ordered engrossed.

H. B. on second reading, authorizing the voters of each Judicial District to elect Judge for the same, was taken up, and on motion of Mr. Rankin, was indefinitely postponed.

H. B. on second reading, substitute for bill to incorporate Spartanburg, Columbus and Rutherford Railroad Company, was taken up, when proviso offered by Mr. Ashe was adopted, and bill passed third reading and ordered engrossed.

Mr. Tomlinson moved to suspend the rules to take up S. B. 194, Lost, no quorum voting.

On motion of Mr. Rankin, the vote by which H. B. 394 passed third reading, was reconsidered and an enacting clause adopted, and bill passed third reading.

On motion, the House adjourned.

SATURDAY, February 11th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the Chair. Prayer by Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. McCauley, from committee on Counties, Towns, &c., reported favorably on H. B. 376, to authorize the Commissioners of Mitchell county to levy a special tax. S. B. No. 320, to allow the Commissioners of Bertie county to levy a special tax.

Mr. Duckworth, from committee on Military Affairs, reported on S. B. 293, to repeal certain sections of an act to organize the militia of North Carolina, recommending its passage with amendments.

INTRODUCTION OF RESOLUTIONS.

By Mr. Johnston, of Buncombe. A resolution in favor of Russel C. Jones, of Buncombe county. Referred to committee on claims.

Mr. Ashe, by consent, from Judiciary Committee, reported on bill to repeal certain ordinances of the Convention.

INTRODUCTION OF BILLS.

By Mr. Justice. A bill with petition from citizens interested to lay off and establish a new county, to be named Trenton. Referred to committee on counties, towns, &c.

By Mr. Ashe. A bill to incorporate Pennsylvania and N. C. Land & Lumber Company. Referred to committee on corporations.

By Mr. Duckworth. A bill to change the line between Transylvania and Madison counties. Referred to committee on counties, &c.

By Mr. Martin. A bill to amend and declare the meaning of Code of Civil Procedure. Referred to judiciary committee.

By Mr. McCauley. A bill referring to Superior Courts for relief of suitors and witnesses. Referred to judiciary committee.

By Mr. Justice. A bill to punish members of any secret political or military-oath bound organization. Referred to judiciary committee.

By Mr. McCauley. A bill to secure impartial justice in certain cases. Referred to judiciary committee.

By Mr. Martin. A bill to require the registration of deeds. Referred to judiciary committee.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. No. 274, making S. Y. river a lawful fence; H. B. No. 301, to amend section 1, chapter 168, of public laws of 1869–'70; H. B. No. 48, in regard to voting on separate ballot; H. B. No. 279, to lay off and establish the county of Swain, as correctly engrossed.

CALENDAR.

On motion of Mr. Currie, the rules were suspended and S. B., requiring Presidents and Directors of Railroads to make return of effects, &c., was taken up,

When Mr. Currie introduced another section which was adopted and bill passed second and third readings, and amendments ordered engrossed.

H. B. No. 120 on second reading, to repeal sec. 4, chap. 14, of Private Laws of 1869–'70, was taken up and passed second reading.

On motion of Mr. Tomlinson, the rules were suspended and S. B. 194, regarding the State Library, was taken up,

And Mr. Ashe's amendment was lost.

Amendments offered by the Committee were adopted.

Mr. Ashe moved to amend by inserting "miscellaneous" before the word "library." Failed for want of a quorum.

Mr. Ashe renewed his motion. Lost for want of a quorum.

Mr. Ashe moved to amend by adding "that it shall be the duty of the Clerk of Supreme Court to take charge of the Law Library." Amendment was adopted and bill passed 3d reading.

Mr. Harris rose to a question of privilege, referring to an article in the *Sentinel* of to-day.

A message was received from the Governor transmitting communication from President of Agricultural Society of N. C., with a bill relating to fertilizers.

Whole matter referred to Committee on Judiciary.

Mr. Gregory moved that no further leaves of absence be granted except under extreme contingencies. Motion withdrawn.

Mr. Anderson, by consent, introduced a resolution regarding leaves of absence.

The rules were suspended to consider the resolution and it was adopted.

A message was received from the Senate, transmitting a resolution regarding Keeper of the Capitol, which resolution was concurred in.

Mr. Justice moved suspension of the rules and S. B. relating to fees of county officers, was taken up and made special order for Monday at 11 a. m.

Mr Phillips, by consent, introduced a bill in relation to suits wherein a sheriff is a party. Referred to judiciary committee.

On motion of Mr. Dudley, the rules were suspended and S. B. to incorporate Mount Vernon Academy, was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. Gambrel, the rules were suspended and H. B. 331, "to amend chapter 66 of laws of 1869–'70, to lay off a road in Ashe and Alleghany counties," was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Tomlinson, the rules were suspended and "resolution referring to inmates of Deaf, Dumb and Blind

Asylum," was taken up and referred to committee on Deaf, Dumb and Blind Asylum.

On motion of Mr. Martin, the rules were suspended, and H. B. 291 was taken up, "to amend chapter 33 of acts 1858-'59," and passed second and third readings and ordered engrossed.

On motion of Mr. Stanford, the rules were suspended and S. B. 78 "to authorize Commissioners of Onslow to re-assess lands," was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. Robbins, the rules were suspended and S. B., "to authorize Commissioners of Bertie county to levy a special tax," was taken up and failed to pass. Ayes 46; Noes 4.

Ayes—Messrs. Anderson, Ashe, Brooks, Cawthorn, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Dudley, Ellison, Fisher, Gambrel, Garrison, Goodwyn, Gullick, Grayson, Guyther, Hampton, Hardy, Henderson, Houston, Hill, Johnson of Edgecombe, Joyner of Pitt, Justice, Kelly of Davie, Lucas, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Page, Paylor, Powell, Rankin, Reavis, Robbins, Shull, Stanford, Withers, Wilcox, and Young of Yancey—46

Noes—Messrs. Armstrong, Atwater, Martin and Nicholson—4.

No quorum voting,

When Mr. Powell, from Committee on Engrossed Bills, reported H. amendment to S. B. 194, as correctly engrossed.

On motion of Mr. Stanford, the rules were suspended and bill "to amend charter of N. C. Life Insurance Company of Wilmington," was taken up and passed second and third readings and ordered to be enrolled.

On motion of Mr. Wilcox, the rules were suspended and H. B., "to lay off a road in Ashe county," was taken up and amendment reported by committee adopted, and the bill passed second and third readings and ordered to be engrossed.

On motion of Mr. Gambrel, the rules were suspended and H. B. 333, "to establish a public road from Sparta to the Vir-

ginia line," was taken up and passed second and third readings and ordered engrossed.

Mr. Justice moved to adjourn. Motion lost.

On motion of Mr. Fisher, the rules were suspended, and H. R. 131 "In favor of J. E. Eldridge, Sheriff of Bladen," was taken up, the proviso offered by Committee of Finance, adopted,

And resolution passed second and third readings, and ordered to be engrossed.

On motion of Mr. Hill, the rules were suspended and H. B. 319 "to incorporate Statesville Seminary," was taken up and passed second and third readings and ordered to be engrossed.

On motion of Mr. Ashe, the rules were suspended, and bill "to amend act to incorporate Wilmington Hook and Ladder Company," was taken up, and passed second and third readings and ordered engrossed.

On motion of Mr. Nicholson, the rules were suspended, and bill "to amend act to incorporate the Bank of Mecklenburg," was taken up, and passed second and third readings and ordered engrossed.

On motion of Mr. Newsom, the rules were suspended, and H. B. 255 "to allow ex-sheriff of Hertford county to collect arrears of taxes" was taken up, and amendments reported from Committee on Propositions and Grievances, were adopted, and bill passed second and third readings and ordered engrossed.

On motion of Mr. Hampton, the rules were suspended, and H. B. 324 "to authorize the construction of a Toll Bridge across the Yadkin river, near Elkin" was taken up, and passed second and third readings and ordered engrossed.

On motion of Mr. Anderson, the rules were suspended, and H. B. 311 "to limit the powers of Township Boards in Cherokee" was taken up, when

On motion, bill was amended by inserting Jackson, Henderson, Madison, Carteret and Watauga counties, and passed second and third readings, and ordered engrossed.

On motion of Mr. Morris, the rules were suspended, and H. B. 247 "to incorporate Trustees of Blue Ridge Academy, in Henderson county" was taken up, and passed second and third readings and ordered engrossed.

Mr. Ashe, by consent, introduced a bill "to incorporate N. C. Chemical and Soap Company." Referred to committee on corporations.

By same, a bill "in relation to probate of deeds, mortgages, &c. Referred to judiciary committee.

The managers of impeachment, as usual, retired from the hall at 11 o'clock.

Leaves of absence were granted Mr. Hargrove for one week; Mr. Lyon from Saturday till Wednesday next; Mr. Johns for ten days; Mr. Womack till Tuesday; Mr. Morgan for ten days from Wednesday.

By order of the Speaker, the following special committee on report concerning spies, &c., was announced: Messrs. Jordan, Withers, Fisher, Currie and Morris.

On motion the House adjourned.

MONDAY, February 13th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Grayson, of the House.

A message was sent transmitting and asking concurrence of the Senate in the passage of H. B. 279, "to lay off and establish the county of Swain."

H. B. 48, "in regard to voting on separate ballot."

H. B. 301, "to amend chap. 168, sec 1, of public laws of 1869–'70."

H. B. 274, "an act making the South Yadkin river in Rowan and Davie counties, a lawful fence," and

House amendments to S. B. 194, "in relation to the Library.

PETITION, &C.

By Mr. Darden, a petition of Jno. F. Parker, of Gates, referring to a state bond. Referred to finance committee.

REPORT OF COMMITTEES.

Mr. McCauley, from committee on Counties, Towns, &c., reported favorably on S. B. 25, to change the line beween Edgecombe and Nash counties.

By Mr. Jordan, from committee on Judiciary, reported favarably on S. B. 105, in relation to bonds of executors, administrators &c.; H. B. 294, an act to amend chap. 42, Revised Code, concerning entries and grants.

H. B. 292, in relation to *per diem* and mileage of witnesses with amendments. H. B. 339, an act concerning constables.

H. B. 361, to amend section 69, chap. 33, of the Revised Code.

H. B. 358, for the preservation of publications of the State.

H. H. 360, to amend sec. 73, title VII, Code of Civil Procedure, and unfavorably on H. B. 338, an act concerning administrators.

H. B. 287, to amend titile 19, chap. 11, sec. 478, of the Code of Civil Procedure.

H. B. 243, on redemption of real estate; H. B. 261, for relief of E. H. Ray, &c.

Mr. Ashe, from Finance Committee, reported on assests of the State, which Mr. Strudwick moved to print and motion was adopted.

Mr. Henderson, from committee on Corporations, reported on H. B. 395, to incorporate the Pennsylvania and North Carolina Land and Lumber Company.

Mr. Ashe, from committee on Enrolled Bills, reported an act authorizing the Governor to offer reward for arrest of H. B. Lowery and others; an act to incorporate the African Methodist Episcopal S. School Society; an act concerning Ruther-

ford Seminary in Burke county; an act for the benefit of the Central N. C. Railroad Company; an act to authorize the commissioners of Clay to levy a special tax for certain purposes.

Mr. Robinson in the chair.

RESOLUTIONS.

By Mr. Waring. A resolution of enquiry as to order for election of delegates to a Convention. Placed on the calendar.

By Mr. Sykes. A resolution of instruction to Secretary of State. Placed on the calendar.

BILLS.

By Mr. Currie. A bill to incorporate Little River Academy in Cumberland county. Referred to committee on corporations.

CALENDAR.

On motion of Mr. Drake, the rules were suspended and S. B. No. 25, to change the line between Edgecombe and Nash counties.

The amendment from the committee failed to pass for want of a quorum, and bill failed to pass for want of a quorum.

Mr. Drake again called for suspension of the rules to put the bill on second reading.

The rules were suspended, and Mr. Sparrow called the ayes and noes,

When Mr. Johnson, of Edgecombe, moved to lay on the table. Motion lost.

The call for the ayes and noes was sustained and bill passed second reading. Ayes 54; Noes 16.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Chamberlain, Collis, Crawford, Currie, Darden, Drake, Dunham, Gullick, Grayson, Gregory,

Hampton, Harris of Guilford, Harris of Franklin, Hardy, Henderson, Houston, Hill, Johnston of Buncombe, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Lassiter, Lucas, Luckey, Martin, Marler, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Robinson, Shull, Smith of Anson, Stanford, Stewart, Strudwick, Waring, Welch, Withers and Wilcox—54.

Noes—Messrs. Bryant of Halifax, Cawthorn, Copeland, Dudley, Ellison, Fisher, Garrison, Goodwyn, Guyther, Johnson of Edgecombe, Jones of Caldwell, Morgan of Wake, Newsom, Page, Reavis and Robbins—16.

A message was received from the Governor relating to issue of order for election of delegates to a Convention.

Mr. Justice moved to transmit to the Senate with order to print.

Mr. Withers called for the special order. Call was not sustained, when the correspondence relating to Convention act between the Governor and Supreme Court.

Mr. Strudwick moved to refer the message and accompanying documents to joint committee on constitutional reform.

Mr. Phillips moved to amend by sending the message to the Senate, asking same reference.

Mr. Martin moved to substitute by referring to Managers of Impeachment.

And motion to transmit and refer prevailed.

On motion of Mr. Strudwick, the special order was postponed and he introduced a resolution requesting the opinion of the Attorney General as to the constitutionality of the Convention act.

When Mr. Justice moved to suspend the rules to consider the resolution, and resolution was adopted.

On motion of Mr. Justice, the special order, being a bill in relation to salaries and fees of county officers and Supreme Court clerk,

Motion prevailed and section I, was adopted.

Section II was then read and adopted.

Section III was read and adopted.

Section IV was read

When Mr. Justice moved a proviso, which was withdrawn.

Mr. Ashe moved to amend sub-section 24, by adding the words "no mileage." Motion lost.

Mr. Joyner, to amend paragraph 22, line 57, striking out all after the word "dollar" and insert "to be paid by defendant, and such cost shall be a lien on such homestead and personal property exemption." The amendment was lost.

Mr. Page moved to strike out "5" and insert 10 in line 4.

Mr. Withers, to amend line 60, paragraph 24, by striking out "75 cents" and insert "$1.50;" also same amendment in line 63. Amendments both adopted.

Mr. Phillips, to amend paragraph 21 by inserting after "expenses" "and 5 cents per mile going and returning." Amendment prevailed.

Mr. Robinson's motion to amend paragraph 21 withdrawn, and

Mr. Marler, to amend paragraph 36, after the word "ejectment" strike out "$1.00" and insert "60 cents." Amendment lost.

Mr. Phillips, to amend paragraph 6 by inserting "or before a Judge," and amendment to paragraph 21 was stricken out.

Mr. Buxton, in line 67 to strike out $1.00 and insert $2.00.

Mr. Phillips, to amend paragraph 21 was withdrawn and section adopted as amended.

Section V was read, when Mr. Joyner, of Johnston, offered a substitute for section V, giving constables same fees as sheriffs; which was adopted.

Section VI was read, when Mr. Page moved to strike out $1.50 and insert $2.00. Motion did not prevail.

Mr. Morris, to strike out "and" and insert "without." Amendment lost.

Mr. Brown, to strike paragraph 3, line 7, in section VI from the bill. Motion lost.

Mr. Phillips, to amend same section VI, paragraph 3, by

adding "and ferriage and tolls," and attending the Superior Court after "Jurors", in line 8. Adopted.

And section VI was adopted.

Section VII was read and adopted.

Section VIII was read, when Mr. Stanford moved to amend line 19, by striking out one cent and insert two cents. Adopted.

Mr. McAllister, to amend paragraph 5, line 14, and after "Commissioners," 15 cents. Adopted.

Mr. Withers, to amend, by inserting another in paragraph 8, line 17, and a sum to be allowed him by the commissioners not to exceed two dollars per day. Adopted.

And section VIII was adopted as amended.

Section IX was then read, when Mr. Ashe moved to amend paragraph 18. Amendment was adopted.

And section IX was adopted.

Section X was read, when Mr. Buxton moved to strike out $10.00 and insert $5.00, (as Physician's fee for attending summons of Coroner.) Amendment lost.

Mr. Buxton, in line 13, to strike all after the word dollars. Amendment lost.

And section X was adopted.

Section XI was read, when Mr. Withers moved to strike out the section. Motion lost.

Mr. Withers moved to amend paragraph 5, by striking out 50 cents, and insert $1.

Mr. Stanford, to amend by inserting 75 cents. Motion lost, and amendment to paragraph 5 did not prevail.

Mr. Justice, to amend paragraph 13, by striking out 5 cents, and inserting 25 cents, for affixing seal. Amendment not adopted.

Mr. Justice moved to amend after cents, in line 41, insert, for each name, and amendment was adopted.

A message was received from the Senate, reporting non-concurrence of the Senate in House amendments to S. B. No. 79, in relation to salaries and fees of State officers, and asking

a committee of conference; also, that Messrs. Graham, Lehman and Love were appointed Senate branch of said committee. The request of the Senate was concurred in, and Messrs. Ashe, Withers, Phillips, Rankin and Guyther were appointed House branch of said committee; when

On motion, the House adjourned.

TUESDAY, February 14th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Hardy of the House.

A message was sent transmitting to the Senate, message from the Governor relating to act to call a Convention of the people, and asking reference to Joint Committee on Constitutional Reform; also, House amendments to S. B. 195, to compel the Presidents and Directors of the several railroads to account for property and effects of said roads, and asking concurrence in the same.

Mr. William F. Loftin, member elect from Lenoir county, presented his credentials and was sworn in and seated.

Leaves of absence were granted to W. M. Hardy, Enrolling Clerk, on account of sickness in family; Mr. Cawthorn for same cause, both for one week.

Mr. Wilcox and Mr. Welch were reported absent on account of sickness.

REPORTS OF COMMITTEES.

Mr. Powell, from Committee on Engrossed Bills, reported House Bills No's. 331, 319, 333, 332, H. R. 131, H. B. 311, H. B. 46, H. B. 255, H. B. 328, H. B. 334, H. B. 366, H. B. 291, H. B. 36, H. B. 357, H. R. 112, as correctly engrossed.

Mr. Kelly, of Davie, from Committee on Internal Improvements, reported on H. B. 380, to incorporate the Georgia

and North Carolina Railroad Company, recommending that it do pass.

Mr. Stanford, from Judiciary Committee, reported favorably on H. B. 399, in relation to process where a sheriff is a party, and unfavorably on H. B. 404, to secure impartial justice in certain cases.

Mr. McNeill, from Committee on Propositions and Grievances, reported favorably on H. B's. No's. 326, 368, and S. R. No. 285, and unfavorably on H. B. 280, and H. R. 167.

Mr. Withers, from Judiciary Committee, reported favorably on S. B. No. 151, "to punish officers of railroad companies for embezzlement," and on H. B. 379, unfavorably, "bill concerning the dower of married women.

INTRODUCTION OF BILLS.

By Mr. Jones, of Caldwell, "a bill to incorporate the Co-operative Savings Association." Referred to committee on corporations.

By Mr. Withers, a bill "to punish officers refusing to enforce the writ of *habeas corpus*." Referred to judiciary committee.

CALENDAR.

The unfinished business being consideration of section 11 of bill on fees of county officers was taken up, and the section was adopted.

Section 12 was read, when Mr. Justice moved to strike out 10 in line 4, and insert 5. Motion failed for want of a quorum.

Mr. Justice renewed his motion, and called the ayes and noes. The call was sustained and amendment adopted. Yeas 24; Noes 50.

AYES—Messrs. Brown, Bryant of Halifax, Chamberlain, Dudley, Fletcher, Garrison, Gregory, Henderson, Hill, Johnson of Edgecombe, Jones of Caldwell, Jordan, Lucas, McAfee,

McAllister, McCauley, McNeill, Morris, Nicholson, Powell, Standford, Waring, Willis and Williamson—24.

Noes—Messrs. Anderson, Ashe, Atwater, Atkinson, Brooks, Buxton, Clinard, Collis, Copeland, Crawford, Dickey, Ellison, Faulkner, Fisher, Gambrel, Goodwyn, Gullick, Grayson, Hampton, Harris of Guilford, Hinnant, Johnston of Buncombe, Joyner of Johnston, Joyner of Pitt, Justice, Kelly of Davie, Kelsey, Lassiter, Loftin, Luckey, Martin, Marler, Morgan of Montgomery, Morgan of Wake, Mitchell, Newsom, Page, Paylor, Rankin, Robbins, Robinson, Shull, Smith of Anson, Smith of Halifax, Stewart, Sykes, Tucker, Tomlinson, Withers, Young of Wake and Young of Yancey—51.

Mr. Strudwick moved to strike out 10 and insert 5, and motion prevailed.

Mr. Gregory moved to strike out the section, and called the ayes and noes. The call was sustained, and amendment lost,

When Mr. Strudwick moved a substitute for the section "that the salaries of attorneys shall in all cases be $4.00," and called the ayes and noes. Call not sustained, and amendment was not adopted for want of a quorum.

Section 13 was read, when Mr. Copeland moved to strike out in line 3 "$1.00" and insert "60 cents."

Mr. Marler to amend amendment by inserting "75 cents." Withdrawn.

Mr. Brown moved to amend by striking out $1.00 and insert $1.50. Motion did not prevail.

Mr. Houston moved to amend by striking out in line 12 the word ——— and insert "and jurors in" giving witnesses and jurors in magistrates' courts 50 cents per diem. Amendment failed for want of a quorum.

Mr. Womack, to amend by striking out in line 13, "and civil cases. Amendment adopted; when

Mr. Luckey moved to amend line 14, by striking out "out of the county in which they reside." Failed for want of a quorum.

Mr. Ashe, to amend line 17, so that witnesses in criminal

cases shall receive fees for attendance only for one case in each day, when the State has the witness to pay. Withdrawn for the present; when

Mr. Luckey renewed his amendment and called for the ayes and noes. The call was not sustained and amendment was adopted, and section 13 was adopted.

Section XIV. was read and adopted.

Section XV. was read and adopted.

Section XVI. was read and adopted.

Section XVII. was read and adopted, and bill passed second reading.

Mr. Ashe moved to reconsider the vote by which the bill to change the line between Edgecombe and Nash counties passed its second reading, and moved to suspend the rules and make the motion special order for 12 M. to-morrow.

Mr. Drake moved to lay on the table; and motion to table, failed for want of a quorum.

Mr. Drake renewed his motion to lay on the table, and called for the ayes and noes. The call was sustained and motion prevailed. Ayes 40; Noes 26.

Ayes—Messrs. Anderson, Armstrong, Atwater, Atkinson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Gambrel, Gullick, Grayson, Hampton, Henderson, Hinnant, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelsey, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Nicholson, Paylor, Powell, Robinson, Shull, Smith of Anson, Stewart, Strudwick, Tomlinson, Waring, Withers, Womack and Young of Yancey—40.

Noes—Messrs. Ashe, Brooks, Brown, Bunn, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Harris of Guilford, Hardy, Hill, Johnson of Edgecombe, Jones, of Caldwell, Justice, Loftin, Morgan of Montgomery, Morgan of Wake, Phillips, Reavis, Stanford, Willis and Young of Wake—26.

A message was received from the Senate, transmitting and asking concurrence in S. B. No. 396, to authorize Commis-

sioners of Washington to collect taxes; S. B. No. 383, in favor of N. C. Jones, Sheriff of Warren county; S. R. No. 308, in favor of R. S. Tucker; S. R. No. 314, in favor of Henry Biggs; S. R. No. 397, to pay Commissioners and Clerk of Granville and Person Counties, contested election case; H. B. No. 213 and S. B. 269, to make failure to work on public roads a mis demeanor, with engrossed amendments; also, that the Senate had concurred in House amendments to S. B. No. 194, in relation to the Library.

Bills and resolutions were referred to appropriate committees.

When Senate amendments to H. B. No. 213, was concurred in and bill ordered to be enrolled.

Mr. Brown moved to suspend the rules to take up a bill.

Motion lost for want of a quorum.

Mr. Grayson moved to suspend the rules to take up a bill, Motion lost.

H. B. on second reading, special order a bill relating to system of public instruction was taken up,

When by consent, Mr. Ashe, from Committee on Enrolled Bills, reported "an act in relation to the public library;" An act "to authorize the Commissioners of Onslow to adjust the tax list;" An act "to incorporate the Trusteesof Mt. Vernon Academy on Bay River;" An act "to incorporate the Warm Springs Colony in Madison county;" An act "to charter the Tennessee River Turnpike Company," as correctly enrolled, and they were ratified.

When Mr. McAllister moved to refer to Committee on Education. Motion prevailed.

When Mr. McNeil, from Committee on Propositions and Grievances, reported favorably on bill "for relief of sheriffs of Anson and Macon counties," And asking reference of bill "for relief of the people of Craven county" to judiciary committee. So referred.

When, upon motion of Mr. Robinson, the rules were sus pended and bill "for relief of G. B. Threadgill and J. L. Moore,

was taken up and passed second and third readings and ordered enrolled.

When on motion the House adjourned.

The Managers of Impeachment retired at 11 o'clock.

WEDNESDAY, February 15th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Dr. Mason, of the city.

A message was sent transmitting to the Senate and asking concurrence in the passage of H. B. 36, "to incorporate Spartanburg, Columbus and Rutherford Railroad Company;" H. B. 291 "to amend chapter 33, laws of 1858–'59;" H. B. 334, "to authorize construction of a toll bridge across the Yadkin, near Elkin;" H. B. 258, "to incorporate the Fair of the Carolinas in Charlotte;" H. B. 255, "to allow the sheriff of Hertford to collect arrears of taxes;" H. B. 46, "to render binding and valid acts of certain State officers;" H. B. 311, "to limit the powers of township trustees in Cherokee and other counties;" H. B, 364, "to repeal an act making a road in Transylvania a turnpike;" H. B. 332, "to authorize commissioners of Yancey to levy a special tax;" H. B. 333, "to lay off and construct a road from Sparta to the Virginia line;" H. B. 319, "to incorporate the Statesville Academy;" H. B. 331, "to amend chapter 66 of public laws of 1869–'70; H. R. 131, "in favor of sheriff of Bladen;" H. R. 112, "in favor of W. J. A. Strange, of Cherokee," and H. B. 357, "to legalize certain acts of commissioners of Mitchell county."

MEMORIALS AND PETITIONS.

By Mr. Johnson, of Edgecombe, "a memorial from citizens of Edgecombe, opposing change of line between Edgecombe and Nash."

REPORTS OF COMMITTEES.

Mr. Stanford, from Committee on Judiciary, reported a substitute for H. B. No. 19, "to require Supreme Court to examine applicants to practice law."

Mr. Kelly, from Committee on Internal Improvements, reported favorably on H. B. 356, "to authorize the Dismal Swamp Canal Company to issue bonds."

Leave of absence was granted Mr. Joyner, of Pitt, for Saturday next.

Mr. French in the chair.

Mr. Ashe, from Committee of Conference on S. B. 79, "in relation to salaries and fees of State officers."

RESOLUTIONS.

By Mr. Dudley, a resolution of instructions to Finance Committee. Placed on calendar.

BILLS.

By Mr. Martin, a bill with petition "in relation to inspectors of Naval Stores of Craven." Referred to committee on propositions and grievances.

By Mr. McNeill, a bill "supplemental to act for relief of sheriffs." Placed on the calendar.

By Mr. Sykes, a resolution "in favor of John L. Wood, sheriff of Pasquotank." Referred to finance committee.

By Mr. Ashe, a bill "to incorporate the Nevassa Guano Company, of Wilmington." Referred to committee on corporations.

CALENDAR.

H. B., on 3d reading, a bill "to repeal section 4, chapter 14, private laws of 1869–'70," was taken up, and on motion of Mr. Ashe, postponed for ten days.

H. B. 142, "to legalize acts of Commissioners of McDowell in sale of town lots," was taken up and Senate amendments concurred in.

On motion of Mr. Sykes, the rules were suspended, and S. B. "in relation to vacancies in county offices," was taken up and passed 2d and 3d readings.

H. B. 122, on 2d reading, "to prevent felling of trees in Carraway Creek," was taken up, and substitute adopted, and passed 2d reading.

On motion of Mr. Robbins, the rules were suspended and S. B. "to authorize levy of special tax in Bertie" was taken up and passed 2d reading. Ayes 41; Noes 25.

Ayes—Messrs. Ashe, Brooks, Brown, Bryant of Halifax, Bryson, Bunn, Buxton, Carson, Clinard, Collis, Copeland, Dickey, Dudley, Faulkner, Fletcher, French, Gambrel, Garrison, Guyther, Harris of Guilford, Harris of Franklin, Hardy, Henderson, Hill, Johnson of Edgecombe, Jones of Caldwell, Justice, Kelly of Davie, Loftin, Mabson, Morris, Mitchell, Paylor, Reavis, Smith of Halifax, Stewart, Tucker, Willis, Williamson and Young of Wake—41.

Nays—Messrs. Armstrong, Chamberlain, Crawford, Gore, Gullick, Grayson, Gregory, Hinnant, Joyner of Johnston, Joyner of Pitt, Jordan, Lassiter, Lucas, Luckey, Martin, Marler, McAfee, McNeill, Nicholson, Smith of Wayne, Stanford, Tomlinson, Waring, Walch and Withers—25.

Mr. Jones, from Committee on Claims, reported favorably on Senate resolution in favor of Henry Biggs, and resolution was taken up and passed 2d and 3d readings.

Mr. Robinson, by consent, introduced a resolution in favor of James Buncombe. Referred to committee on claims.

On motion of Mr. Stanford, the rules were suspended, and S. R. No. 332, in favor of William Smith, was taken up and passed second and third readings, and ordered enrolled.

When Mr. Jordan, by consent, introduced a bill to defend the rights of tax collectors. Referred to judiciary committee.

On motion of Mr. Henderson, the rules were suspended and

S. B. No. 90, to amend act to incorporate the City of Raleigh, was taken up and replaced on Calendar, by order of the Speaker, upon Mr. Justice's call for the special order.

Mr. Houston moved to defer the special order till 1 o'clock. Motion did not prevail.

And special order, being a resolution in favor of M. A. Bledsoe, was taken up, when Mr. Harris, of Guilford, moved to refer to finance committee. Motion prevailed.

On motion of Mr. Crawford, the rules were suspended, and S. B. 167, to amend act to incorporate the town of Lexington, was taken up and passed second and third readings and ordered enrolled.

When Mr. Henderson renewed his motion to suspend the rules and S. B. No. 90, in relation to the city of Raleigh was taken up, when Mr. Johnson, of Edgecombe moved to postpone till Friday next.

Mr. Harris moved to make bill special order for to-morrow at 11½ o'clock. Motion did not prevail.

Mr. Henderson called the previous question.

Mr. Robbins called the ayes and noes and previous question was called. Ayes 40; Noes 39.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bryson, Carson, Chamberlain, Clinard, Currie, Gore, Gullick, Grayson, Hampton, Henderson, Houston, Hill, Hinnant, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Lassiter, Luckey, Martin, Marler, McAfee, McAllister, Mitchell, Nicholson, Paylor, Powell, Robinson, Smith of Anson, Smith of Wayne, Stanford, Stewart, Waring, Withers and Young of Yancey—40.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bunn, Buxton, Collis, Copeland, Crawford, Dudley, Ellison, Faulkner, Fisher, Fletcher, Gambrel, Garrison, Goodwyn, Guyther, Harris of Franklin, Hardy, Johnton of Edgecombe, Jones of Caldwell, Justice, Loftin, Mabson, McNeill, Morris, Morgan of Wake, Newsom, Nisson, Page, Reavis, Robbins, Shull,

Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—39.

When the ayes and noes were called on motion to postpone to Friday next, and motion was lost. Ayes 34; Noes 49.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bunn, Buxton, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwyn, Guyther, Harris of Franklin, Hardy, Johnson of Edgecombe, Justice, Loftin, Mabson, Morris, Morgan of Wake, Newsom, Nisson, Rankin, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake--34.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Chamberlain, Clinard, Crawford, Currie, Drake, Gambrel, Gore, Gullick, Grayson, Hampton, Hendenson, Houston, Hill, Hinnant, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Lassiter, Lucas, Luckey, Martin, Marler, McAfee, McAllister, McNeill, Mitchell Nicholson, Page, Paylor, Powell, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tomlinson, Waring, Withers, Womack and Young of Yancey—49.

When amendment offered by committee was lost, when Mr. Ellison moved to amend by referring ratification of bill to citizens of Raleigh, and called the ayes and noes and amendment was lost. Ayes 33; Noes 50.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bunn, Buxton, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Garrison, Goodwyn, Guyther, Harris of Franklin, Hardy, Johnston of Edgecombe, Justice, Loftin, Mabson, Morris, Morgan of Wake, Newsom, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—33.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Clinard, Crawford, Currie, Drake, Dunham, Gambrel, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hill, Hinnant, Jones of Caldwell, Joyner of Johnston,

Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Lassiter, Lucas, Luckey, Martin, Marler, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Waring, Withers and Young of Yancey—50.

Mr. Morgan offered another amendment to section 12, and called the ayes and noes, and amendment was lost. Ayes 26; Noes 52.

Ayes—Messrs. Bunn, Buxton, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Garrison, Goodwyn, Guyther, Hardy, Johnson of Edgecombe, Justice, Loftin, Mabson, Morris, Morgan of Wake, Newsom, Nisson, Reavis, Robbins, Smith of Halifax, Tucker, Willis and Young of Wake—26.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Gambrel, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hill, Hinnant, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Lassiter, Lucas, Luckey, Martin, Marler, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tomlinson, Waring, Withers, Womack and Young of Yancey—52.

When Mr. Mabson called the ayes and noes on second reading of the bill. The call was sustained and bill passed. Ayes 53; Noes 27.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Gambrel, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hill, Hinnant, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Lassiter, Lucas, Luckey, Martin, Marler, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tomlinson, Waring, Withers, Womack and Young of Yancey—53.

Noes—Messrs. Bunn, Buxton, Collis, Copeland, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwyn, Guyther, Hardy, Johnson of Edgecombe, Justice, Mabson, Morris, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Tucker, Willis, Williamson and Young of Wake—27.

When the hour for the consideration of the special order being a bill "to establish the county of Pamlico." Bill was taken up, and amendment reported by committee, a priviso that the inhabitants shall not be relieved from debts due as citizens of Beaufort and Craven, considered.

Mr. Dudley moved to postpone to Wednesday next at 12 o'clock. Motion failed for want of a quorum voting.

Proviso reported by the committee was adopted.

When Mr. Dudley moved to amend, submitting ratification to the voters of Craven and Beaufort.

Lost for want of a quorum.

When Mr. Jones moved a call of the House upon which Mr. Nicholson called the ayes and noes.

The call was sustained and motion prevailed. Ayes 39; Noes 20.

Ayes—Messrs. Brown, Chamberlain, Clinard, Copeland, Dudley, Ellison, Fletcher, Garrison, Goodwyn, Gore, Grayson, Guyther, Hampton, Harris of Guilford, Hardy, Hinnant, Johnson of Edgecombe, Jones of Caldwell, Kelsey, Loftin, Lucas, Luckey, Marler, Morris, Mitchell, Newsom, Nisson, Phillips, Powell, Reavis, Robinson, Shull, Stanford, Stewart, Tucker, Tomlinson, Withers, Willis and Womack—39.

Noes—Messrs. Armstrong, Ashe, Atwater, Brooks, Bunn, Buxton, Collis, Currie, Fisher, Gambrel, Gullick, Hill, Joyner of Johnston, Joyner of Pitt, Mabson, McAllister, Nicholson, Page, Waring and Williamson—20.

When the roll was called, and the following members answered to their names, or were accounted for as excused:

Messrs. Armstrong, Ashe, Atwater, Brooks, Broadfoot, Brown, Bryson, Bunn, Buxton, Carson, Chamberlain, Clinard, Collis, Copeland, Currie, Dickey, Drake, Dudley, Duckworth,

Dunham, Ellison, Fisher, Fletcher French, Gambrel, Garrison, Goodwyn, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Houston, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Justice, Kelly of Davie, Kelsey, Kincade, Loftin, Lucas, Luckey, Lyon, Martin, Mabson, Marler, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Newsom, Nicholson, Nisson, Page, Phillips, Powell, Reavis, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker, Tomlinson, Waring, Welch, Withers, Willis, Wilcox, Womack, Williamson, and Young of Wake.

When Mr. Dudley renewed his motion to amend,

When Mr. Stanford moved to amend amendment by referring ratification of act to voters within the limits of the proposed county.

When by consent, Mr. Justice introduced a bill to amend the Constitution. Referred to committee on judiciary.

By consent, Mr. Hill introduced a resolution regarding claims arising during the war, and moved to postpone consideration of the business before the House for the passage of the resolution.

Mr. Mabson moved to amend the motion by postponing business before the House, to 11 o'clock a. m. to-morrow.

Amendment and motion lost, when amendment as amended adopted, and bill passed second reading.

When a message was received from the Senate, transmitting S. R. No. 312, "in relation to Capitol grounds." Referred to committee on propositions and grievances.

Also, a message requesting the House to join in election of Librarian to-morrow at 11½ a. m., and that the Senate had concurred in House amendments to S. B. 195.

Mr. Chamberlain moved to suspend the rules to take up a bill. Motion lost.

House adjourned.

THURSDAY, February 16th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the Chair, and was opened with prayer by the Rev. Mr. Grayson, of the House.

Leave of absence was granted to Mr. Dudley for three days, on account of sickness in his family.

Mr. Johnson, of Edgecombe, introduced a memorial from citizens of that county, in reference to a change in the county line. Referred to committee on propositions and grievances.

Mr. Mabson introduced a petition, asking the withdrawal of his name from petition of citizens of Wilmington, for abolition of special court. Referred to committee on judiciary.

REPORTS OF COMMITTEES.

Mr. Jordan, from committee on Judiciary, reported favorably on H. B. 409, to punish officers refusing to enforce the writ of *habeas corpus*; H. B. 162, for the relief of the people of Craven, and recommending the indefinite postponement of H. B. 51, to provide for elections in municipal corporations, and asking reference to joint committee on Constitutional Reform, and of H. B. 418, to change the Constitution of the State.

Mr. Withers, from same committee, reported favorably on H. B. 415, to define the rights of tax collectors.

Mr. Crawford, from committee on Engrossed Bills, reported H. B. 247, to incorporate the trustees of Blue Ridge Academy; H. B. 276, to lay out and construct a road through Ashe county; H. B. 74, to amend the charter of the Wilmington Hook and Ladder Company, as correctly engrossed.

A message was sent to the Senate, agreeing to join the Senate in the election of a Librarian, and that Messrs. McAfee and Morris were appointed tellers on the part of the House.

Messrs. T. H. Hill and H. D. Coley were put in nomination, to which was added the name of Mr. G. B. Baker.

The hour for the election of Librarian having arrived, the ballot taken, resulted as follows:

For T. H. Hill, 58 votes; H. D. Coley, 24; G. B. Baker, 5.

The tellers reported the Senate vote to be, for T. H. Hill, 31; H. D. Coley, 9; whole number of votes cast, 127, of which Mr. Hill received 89, and was declared duly elected.

On motion, the use of the Hall was tendered to Miss Ella P. Gause for Saturday evening.

INTRODUCTION OF BILLS.

Mr. Ashe, a bill to secure a lien to mechanics and other laborers. Referred to judiciary committee.

Mr. McCauley, a bill to authorize C. Austin, late sheriff of Union, to collect arrears of taxes. Referred to committee on propositions and grievances.

On motion of Mr. Robinson, the rules were suspended, and the Senate bill "to change the line between the counties of Edgecombe and Nash," was recommitted to the committee on counties and towns.

On motion of Mr. Ashe, the rules were suspended, and the bill "to incorporate the Pennsylvania Land and Lumber Company," was taken up and passed second reading, and was put on third reading and passed, and was ordered to be engrossed.

Mr. Robinson, from Committee on Enrolled Bills, reported an act "for relief of G. B. Threadgill and J. L. Moore, sheriffs of Anson and Macon counties;" an act "defining and amendatory of the Wilmington, N. C. Life Insurance Company;" an act "to make a failure to work on public roads a misdemeanor;" an act "to compel the presidents and directors of the several railroads to account with their successors for property and effects of said roads," and "resolution in favor of Henry Biggs," as correctly enrolled, and they were ratified.

On motion of Mr. Jones, of Caldwell, the rules were sussuspended, and H. B. "to authorize the Dismal Swamp Canal

Company to issue 8 per cent. bonds," was taken up and passed second and third readings and ordered to be engrossed.

On motion of Mr. Shull, the rules were suspended, and S. B. "in relation to the sale of town lots in Franklin," was taken up, when he moved to amend by inserting "Boone" and "Watauga" in the proper place, and the bill passed its second and third readings, and was ordered to be enrolled.

H. R. 107, "authorizing Keeper of the Capitol to have the roof of the Capitol repaired," was taken up and adopted.

Senate resolutions on second reading.

A joint resolution "in relation to public instruction" was taken up and passed.

Resolution "in favor of Hackney Pool" was taken up, when Mr. Robinson moved to postpone indefinitely, and motion prevailed.

On motion of Mr. Anderson, the rules were suspended, and S. B. "in relation to Capitol Grounds" &c., was taken up, when Mr. Justice moved to lay on the table, which did not prevail.

Mr. Guyther moved to amend by striking out $600 and inserting $300,

When Mr. Justice called the ayes and noes, but withdrew the call, and motion of Mr. Guyther was lost.

On motion of Mr. Robinson, the words "and beautifying" were stricken out.

Mr. French moved to insert "or Heads of Department," which motion did not prevail, and bill passed second reading, and Mr. Morgan, of Wake, called ayes and noes on third reading.

Mr. Joyner, of Johnston, moved to lay on the table but withdrew motion and bill passed third reading,

When, on motion of Mr. Robinson, the vote was reconsidered, and that motion laid on the table.

On motion of Mr. Young, of Yaucey, the rules were suspended, and H. B. "to incorporate the town of Burnsville, in

the county of Yancey," was taken up and passed second and third readings, and was ordered to be engrossed.

Mr. Gregory, by consent, introduced a bill "relating to executions on judgments." Referred to committee on judiciary. Also a bill "to amend title 11 chapter 2, section 254 Code of Civil Procedure." Referred to judiciary committee.

On motion of Mr. Ashe, the rules were suspended and bill "in relation to Salaries and Fees of State officers," was taken up and report of committee of conference was read and concurred in.

On motion of Mr. Sykes, the rules were suspended and H. R. 190, "of instructions to Secretary of State," was taken up and adopted.

On motion of Mr. Hill, the rules were suspended and H. B. 196, "in relation to claims arising during the war," was taken up and adopted.

Mr. Robinson in the chair.

Leave of absence was granted to Mr. Waring for one day.

Mr. McNeill, from Committee on Propositions and Grievances, reported favorably on H. B. 283," in favor of R. Jones, sheriff of Warren," and on motion the bill was put upon and passed second and third readings, and was ordered to be engrossed.

On motion of Mr. Collis, the rules were suspended and bill "to authorize the Commissioners of Mitchell county to levy a special tax," was taken up and passed second reading. Ayes 65; Noes 2.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Brown, Bryant of Halifax, Bryson, Bunn, Carson, Clinard, Collis, Copeland, Dickey, Drake, Ellison, Faulkner, French, Gambrel, Garrison, Goodwyn, Gullick, Grayson, Hampton, Harris of Guilford, Hardy, Hill, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelsey, Kincade, Lassiter, Loftin, Luckey, Lyon, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Wake, Mitchell, Newsom, Nisson, Page, Paylor, Powell, Rankin, Reid, Robinson, Shull, Smith of Anson, Smith of Halifax, Stanford,

Stewart, Tucker, Willis, Womack, Woodhouse, Young of Wake and York—65.

Noes—Messrs. Guyther and Williamson—2.

On motion of Mr. Stanford, the rules were suspended and bill "to lay off and establish the county of Pamlico," was taken up, when Mr. Stanford moved to amend by inserting a proviso, "that if the citizens of Beaufort in the section proposed to be cut off do not vote to ratify the act, that part of said county shall not be included in the new county."

Mr. Willis moved to lay on the table which did not prevail, when Mr. Stanford called the previous question, and his amendment was adopted.

Mr. French moved to amend by providing that if the voters in that portion of Craven proposed to be cut off, dissent, they shall not be cut off, which did not prevail.

Mr. Dudley moved to amend that this act shall not take effect until 1890, which was ruled not in order, when Mr. Dudley appealed from the ruling of the chair, and the chair was sustained in its ruling, and the bill was put on its third reading and passsed. Ayes 53; Noes 24, and was ordered to be engrossed.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Carson, Clinard, Collis, Currie, Drake, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Hampton, Hardy, Hill, Hinnant, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelsey, Kincade, Lassiter, Lucas, Martin, Marler, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Reid, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tomlinson, Waring, Wilcox, Womack, Young of Yancey and York—53.

Noes—Messrs. Brown, Bryant of Halifax, Bunn, Buxton, Dudley, Ellison, Faulkner, French, Goodwyn, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Loftin, Mabson, Newsom, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—24.

Mr. French, by consent, introduced a bill to appoint an As-

sistant Superintendent of Public Instruction. Placed on calendar.

On motion of Mr. Marler, the rules were suspended and H. B. 317, to prevent the felling of trees in Yadkin River, was taken up and passed second and third readings and ordered to be engrossed.

Mr. Jones of Caldwell, by consent, introduced a bill to authorize the Commissioners of Caldwell county to levy a special tax, which was referred to committee on propositions and grievances.

On motion of Mr. Brown, the House adjourned.

FRIDAY, February 17th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Hardy, of the House.

A message was sent transmitting H. B. 74, an act to amend the charter of the Wilmington Hook and Ladder company: H. B. 276, to lay out and construct road through Ashe county; H. B. 363, to make the French Broad river a lawful fence in Transylvania;" H. B. 247, an act to incorporate the Blue Ridge Academy in Henderson; S. R. 332, in favor of William Smith, as amended; S. B. 312, in relation to Capitol Square and grounds, as amended, and asking concurrence of the Senate in the passage of the same.

Also a message announcing concurrence of the House in the passage of S. B. 383, in favor of N. R. Jones, sheriff of Warren; S. R. 131, in regard to a system of public instruction,

And of adoption by the House of report of committee of conference on S. B. in relation to salaries and fees of State officers

REPORTS OF COMMITTEES.

Mr. Jones, of Caldwell, from Committee on Claims, reported

favorably on resolution in favor of R. S. Tucker; H. R. 192, in favor of James Buncombe, and asking reference of H. B. 83, for relief of B. K. & George W. Dickey, to judiciary committee; and unfavorably on H. R. 184, in favor of Jonas W. Derr.

INTRODUCTION OF BILLS.

By Mr. Lucas. A bill to fix capital of Fairfield Canal and Turnpike Company. Referred to committee on internal improvements.

Indefinite leave of absence was granted Mr. Duckworth on account of sickness.

Mr. Houston moved to suspend the rules to take up a bill. Motion lost.

Mr. French, to suspend the rules to take up a bill. Motion lost for want of a quorum.

Mr. French renewed his motion, and called for the ayes and noes. Motion lost for want of a quorum. Ayes 30; Noes 29.

Ayes—Mr. Speaker, Messrs. Brown, Bryant of Halifax, Bunn, Buxton, Carson, Copeland, French, Garrison, Hampton, Hardy, Johnson of Edgecombe, Justice, Luckey, Lyon, Mabson, Morris, Morgan of Wake, Mitchell, Nisson, Page, Reavis, Robbins, Smith of Halifax, Willis, Williamson, Young of Wake, Young of Yancey and York—30.

Noes—Messrs. Anderson, Atwater, Atkinson, Broadfoot, Chamberlain, Clinard, Crawford, Currie, Drake, Furr, Gambrel, Gore, Gullick, Gregory, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Kincade, Lassiter, Nicholson, Paylor, Robinson, Shull, Smith of Anson, Smith of Wayne, Withers, Wilcox and Woodhouse—29.

Mr. French moved a call of the House. The motion was sustained, and on call of roll the following members answered to their names:

Mr. Speaker, Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryson, Bunn, Buxton, Carson, Chamberlain, Clinard, Copeland, Crawford, Currie,

Dickey, Drake, Ellison, Faulkner, Fletcher, French, Furr, Gambrel, Garrison, Goodwyn, Gore, Gullick, Grayson, Gregory, Hampton, Hardy, Houston, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Jordan, Justice, Kincade, Lassiter, Lucas, Luckey, Lyon, Martin, Mabson, Marler, McAfee, McNeill, Morris, Morgan of Wake, Mills, Mitchell, Newsom, Nicholson, Nisson, Page, Paylor, Rankin, Reavis, Reid, Robbins, Robinson, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Tucker, Tomlinson, Welch, Withers, Willis, Wilcox, Woodhouse, Williamson, Young of Wake, Young of Yancey and York—85.

And the following members were reported absent with leave:

Messrs. Duckworth, Hargrove, Johns, Morgan of Montgomery, Settle and Waring—6.

The following members were reported absent without leave:

Messrs. Bryant of Halifax, Bryan of Jones, Cawthorn, Collis, Darden, Dudley, Dunham, Fisher, Gatling, Guyther, Harris of Guilford, Harris of Franklin, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kelsey, Loftin, Maxwell, McAllister, McCauley, Phillips, Powell, Regan, Scott, Stewart, Strudwick, Sykes and Womack—27.

When a quorum appearing present, the rules were suspended and bill in relation to Assistant Superintendent of Public Instruction, was taken up; when

Mr. Robinson moved to amend by striking out the name of J. W. Hood, and insert the name of Thomas A. Sykes, of Pasquotank; when

Mr. Welch moved to lay the matter on the table, and the motion prevailed upon call for the ayes and noes. Ayes 45; Noes 33.

Ayes—Messrs. Anderson, Armstrong, Atwater, Atkinson, Bryant of Halifax, Bryson, Bunn, Buxton, Clinard, Copeland, Drake, Furr, Gore, Gullick, Grayson, Hardy, Houston, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Joy-

ner, of Johnston, Jordan, Kelsey, Kincade, Lassiter, McAfee, McAllister, McCauley, Mills Mitchell, Nicholson, Paylor, Rankin, Reid, Robbins, Smith of Wayne, Tomlinson, Welch, Withers, Willis, Woodhouse and Young of Yancey—45.

Noes—Messrs. Brooks, Broadfoot, Brown, Carson, Chamberlain, Collis, Crawford, Ellison, Faulkner, Fisher, Fletcher, French, Gambrel, Garrison, Goodwyn, Justice, Loftin, Lucas, Luckey, Lyon, McNeill, Morris, Morgan of Wake, Newsom, Nisson, Reavis, Robinson, Smith of Anson, Smith of Halifax, Stanford, Williamson and Young of Wake—33.

Mr. Robinson, from Committee on Enrolled Bills, reported an act "in relation to vacancies in county offices; an act "to authorize the construction of a toll bridge across the Yadkin river, near Elkin;" an act "in favor of N. R. Jones, sheriff of Warren county;" an act "to change the corporate boundaries of the town of Lexington;" an act "in relation to sale of land by commissioners of McDowell county;" an act "making the South Yadkin river a lawful fence in the counties of Rowan and Davidson," as correctly enrolled and they were ratified.

Mr. Robinson moved to reconsider the vote by which "resolution in regard to system of public instruction," passed its third reading, and moved to postpone further consideration till Monday next.

Mr. French moved immediate consideration and called the ayes and noes.

Mr. Robinson amended his motion to indefinite postponement of consideration. Withdrawn, and Mr. Withers moved to lay on the table.

Mr. ——— called the ayes and noes. The call was sustained and resolution was laid on the table. Ayes 56; Noes 24.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Brown, Bryson, Carson, Clinard, Copeland, Crawford, Currie, Dickey, Drake, Furr, Gambrel, Gore, Gullick, Grayson, Hampton. Harris of Guilford, Hardy, Houston, Hill Hinnant, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Mar-

ler, McAfee, McAllister, McCauley, McNeill, Mills, Nicholson, Paylor, Powell, Reid, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Withers, Wilcox, Womack, Woodhouse, Young of Yancey and York—56.

Noes—Messrs. Bryant of Halifax, Bunn, Buxton, Ellison, Fletcher, French, Garrison, Guyther, Harris of Franklin, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Mabson, Morris, Morgan of Wake, Newsom, Nisson, Page, Robbins, Smith of Halifax, Tucker, Willis, Williamson and Young of Wake—24.

Mr. Robinson moved to reconsider the vote by which resolution in favor of Hackney Pool was indefinitely postponed; was reconsidered and resolution was, on motion, referred to committee on finance.

Mr. Crawford, by consent, introduced a bill entitled "an act to create the office of Assistant Superintendent of Public Instruction." Referred to committee on education.

Mr. Ashe moved to reconsider the vote by which the bill "to establish the county of Pamlico" passed third reading, and moved to make motion special order for to-morrow at 11½ o'clock. Motion prevailed.

When a message was received from the Senate transmitting and asking concurrence in the passage of S. B. 261, "to amend an act authorizing the incorporation of Homestead and Building Association" of North Carolina; S. B. 382, "to authorize Commissioners of Alamance to revise the jury list of said county;" S. R. 403, "in relation to printing the act suspending the Code of Civil Procedure;" and H. B. 275, S. B. 340, "to incorporate the town of Gibsonville," with engrossed Senate amendments. S. B. 430, "to amend charter of the city of Charlotte;" S. B. 431, "to empower Commissioners of the town of Tarboro' to levy a tax. The bills and resolutions were referred to appropriate committees.

When Senate amendments to H. B., to incorporate the town of Gibsonville, were concurred in.

On motion of Mr. Jones, of Caldwell, the special order being

a bill "to allow the N. C. R. R. Company," was taken up, when Mr. Robinson moved to postpone indefinitely.

Mr. Gregory in the chair.

Mr. Jones, of Caldwell, called the ayes and noes. Call was withdrawn.

After discussion, Mr. Crawford moved to recommit to the Committee on Internal Improvements, and called the ayes and noes,

When Mr. Houston moved to adjourn. Motion suspended.

Mr. Ashe asked leave of absence for Mr. Nicholson for one day which was granted, and also Messrs. Anderson and Wilson, Enrolling Clerks, each for one day.

When Mr. Houston renewed his motion, and the House adjourned.

SATURDAY, February 18th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Grayson, of the House.

MEMORIALS AND PETITIONS.

By Mr. Lucas, a memorial from citizens of Hatteras township to be changed from Dare to Hyde county. Referred to committee on counties, &c.

REPORTS OF COMMITTEES.

Mr. Jones, of Caldwell, reported from Committee on Claims, favorably on S. R. 397, "to pay commissioner and clerk for services in Granville and Person contested election; H. R. 170, "in favor of James W. Cooper." Unfavorably on H. R. 187, "in favor of Russel L. Jones, of Buncombe county."

Mr. Jordan, from Judiciary Committee, reported unfavora-

bly on H. B. 397, and bill "to be entitled an act in relation to probate of deeds, mortgages, &c.," and recommending that petition of J. E. Whitfield be laid on the table.

Mr. French, from Committee on Internal Improvements reported, recommending the passage of H. B. 309, a bill "to be entitled an act to consolidate certain railroads and for other purposes," with certain amendments.

RESOLUTIONS INTRODUCED.

Mr. Justice rose to a question of privilege, referring to the misfortune of Rev. Mr. Collis, of the House.

BILLS.

Mr. Crawford, from Committee on Engrossed Bills, reported H. B. 46; H. B. 396; H. R. 190; H. B. 317; H. B. 356; H. R. 196; H. R. 107, and amendments to S. B. No. 253; H. B. 343, as correctly engrossed.

Mr. Martin rose to a question of privilege, referring to report of "Telegram," on discussion of yesterday.

Mr. Rankin introduced a bill "to incorporate Elmwood Lodge of F. A. M., No. 246."

By Mr. Ashe, a bill "to authorize the city of Wilmington to make conveyance in fee simple of a certain lot to Lodge of F. A. M." Bills referred to committee on corporations.

CALENDAR.

The unfinished business being "a bill to consolidate the North Carolina and Western North Carolina Railroad" was taken up, when Mr. Cawthorn moved to lay it on the table.

Mr. Shull called the ayes and noes. The call was sustained, and motion lost. Ayes 15; Noes 65.

AYES—Messrs. Anderson, Broadfoot, Bryant of Halifax, Bryson, Currie, Faulkner, Furr, Guyther, Jones of Northamp-

ton, Joyner of Johnston, Kelsey, McCauley, Newsom, Smith of Halifax and Stewart—15.

Noes—Messrs. Armstrong, Ashe, Atkinson, Brooks, Brown, Bunn, Buxton, Carson, Chamberlain, Clinard, Collis, Dickey, Ellison, Fletcher, French, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Hardy, Hill, Johnson of Edgecombe, Jones of Caldwell, Jordan, Lassiter, Loftin, Lucas, Luckey, Lyon, Martin, Mabson, Marler, McAfee, McAllister, McNeill, Morgan of Wake, Mills, Mitchell, Nisson, Page, Paylor, Powell, Rankin, Reid, Robbins, Robinson, Shull, Smith of Wayne, Stanford, Strudwick, Tucker, Tomlinson, Withers, Willis, Wilcox, Womack, Woodhouse, Williamson, Young of Wake, Young of Yancey and York—65.

The hour for consideration of the special order being motion to reconsider vote by which the bill creating the county of Pamlico passed third reading,

It was, upon motion of Mr. Stanford, made special order for Monday next, at 11 a. m., and unfinished business was resumed.

Mr. Gregory in the chair.

The managers of impeachment, as usual, retired from the hall at 11 a. m.

After some discussion Mr. Strudwick moved to postpone further consideration to Wednesday next at 11 o'clock.

Mr. Marler called the ayes and noes. The call was sustained, and motion did not prevail. Ayes 38; Noes 45.

Ayes—Messrs. Anderson, Armstrong Ashe, Bryant of Halifax, Bryson, Buxton, Crawford, Dickey, Faulkner, French, Furr, Garrison, Guyther, Johnston of Buncombe, Jones of Northampton, Joyner of Johnston, Jordan, Justice, Kelsey, Kincade, Luckey, Mabson, McAfee, McCauley, McNeill, Morris, Mills, Newsom, Page, Paylor, Reid, Robbins, Robinson, Strudwick, Womack and Young of Yancey—38.

Noes—Messrs. Brooks, Brown, Bunn, Carson, Clinard, Currie, Ellison, Fisher, Fletcher, Gambrel, Gore, Hampton, Harris of Guilford, Hardy, Hill, Johnson of Edgecombe, Jones of

Caldwell, Kelly of Davie, Loftin, Lassiter, Lyon, Martin, Marler, McAllister, Morgan of Wake, Mitchell, Nisson Phillips, Powell, Rankin, Reavis, Shull, Smith of Halifax, Smith of Wayne, Stanford, Stewart, Sykes, Tucker, Tomlinson, Withers, Willis, Wilcox, Woodhouse, Williamson and York—45.

Mr. Robinson, from Committee on Enrolled Bills, reported "an act in relation to salaries and fees of State officers;" an act "to pay expenses on requisition for fugitives from justice;" "an act in relation to public square and Capitol grounds," and an act "to incorporate the town of Gibsonville," as correctly enrolled.

Mr. Joyner moved to adjourn.

Mr. ——— called the ayes and noes. The call was sustained, and motion lost. Ayes 25; Noes 48.

Ayes—Messrs. Ashe, Bryson, Chamberlain, Dickey, Drake, French, Furr, Grayson, Johnston of Buncombe, Joyner of Johnston, Jordan, Mabson, McAtee, McCauley, Mills, Page, Phillips, Paylor, Powell, Robinson, Stanford, Stewart, Withers and Young of Yancey—25.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bunn, Buxton, Carson, Clinard, Ellison, Faulkner, Fisher, Fletcher, Gambrel, Garrison, Gore, Gullick, Guyther, Hampton, Harris of Guilford, Hardy, Houston, Hill, Johnson of Edgecombe, Jones of Caldwell, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Loftin, Marler, McNeill, Morris, Morgan of Wake, Newson, Nisson, Rankin, Reid, Robbins, Shull, Smith of Halifax, Smith of Wayne, Strudwick, Willis, Wilcox, Womack, Woodhouse, Williamson and York—48.

Mr. Strudwick, from Committee on Finance, reported amendments to H. B. 84, "for relief of James M. Young, sheriff of Buncombe."

Mr. McNeill, from Committee on Propositions and Grievances, reported a proviso to H. B. 420, "to authorize commissioners of Caldwell to levy a special tax," and favorably on H. B. 422, "to authorize C. Austin, late sheriff of Union, to collect arrears of taxes."

Mr. Morris, by consent, introduced a bill "to amend the Constitution of the State." Referred to committee on constitutional reform.

Mr. Justice, a bill "to ascertain the debt of the State." Referred to judiciary committee.

Mr. Standford moved to adjourn, and motion prevailed.

MONDAY, February 20th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the Chair. Prayer by Rev. Mr. Grayson, of the House.

A message was sent to the Senate, transmitting and asking concurrence in the passage of H. R. 190, "of instructions to Secretary of State;" H. R. 107, instructions to Keeper of the Capitol; H. R. 196, in relation to claims arising during the war; H. B. 46, to render valid the acts of certain officers of the State &c.; H. B. 317, to prevent the felling of trees in Yadkin river; H. B. 356, authorizing Dismal Swamp Canal Company to issue 8 per cent. bonds; H. B. 396, to incorporate Pennsylvania and North Carolina Land and Lumber Company; S. B. 253, in relation to town lots in Franklin, with amendments; and H. B. 310, to incorporate the town of Burnsville, in Yancey county.

Mr. Sykes rose to a question of privilege, referring to the debate upon the nomination of himself to office of Assistant Superintent of Public Instruction on Friday last, declaring the remarks of Mr. Mabson, as discourteous to himself.

MEMORIALS AND PETITIONS.

By Mr. Martin, memorials from citizens of Carteret for and against change of the name of Postoffice of Newport. Referred to committee on Propositions and Grievances.

REPORTS OF COMMITTEES.

Mr. McCauley, from committee on Counties, Towns &c., re-

ported favorably on S. B. 396, referring to town of Washington.

Mr. Jordan, from special committee, reported on report of Adjutant General, relating to spies &c., declaring the report insufficient, and not to contain the information desired; also a report of minority on same subject.

Majority report, signed by Henry T. Jordan, J. Henry Currie and E. B. Withers. Minority report, signed by W. G. B. Morris and A. W. Fisher.

Together with a bill repealing chap. 52 of the acts of 1868–'69. Placed on Calendar.

Mr. Strudwick, from Finance Committee, reported favorably on bill "to authorize Commissioners of Chatham to issue bonds to liquidate debts."

INTRODUCTION OF RESOLUTIONS.

By Mr. Loftin, a resolution "in favor of adjournment for 22d February for one day." On calendar.

By Mr. Anderson, a resolution "in regard to stationery furnished to county officers by Secretary of State." Placed on calendar.

By Mr. Justice, a resolution "fixing a day of adjournment." Placed on the calendar.

BILLS INTRODUCED.

By Mr. McCauley, a bill "referring to taxes paid by mistake." Referred to finance committee

By Mr. McCauley, a bill "to provide for registration of the satisfaction of mortgages of deeds of trust." Referred to judiciary committee.

By same, a bill "to amend the law in relation to Executors and Administrators." Referred to judiciary committee.

By Mr. Ashe, a bill with memorial "to establish and en-

force an agricultural lien." Referred to judiciary committee.

By Mr. Ashe, a bill "to punish the obtaining goods, &c., by false pretences." Referred to judiciary committee.

Leave of absence was granted Mr. Collis for two weeks on account of misfortune in family.

By Mr. Justice, a bill "to repeal chap. 260 of laws of 1868 and 1869." On calendar.

By Mr. Gregory, a bill "to provide for enforcement of chap. 105 of Revised Code, (section 17.)" Referred to judiciary committee.

By same, a bill "to provide further trial by referees." Referred to judiciary committee.

By Mr. Johnston, of Buncombe, a bill "to require Justices to file proceedings in Superior Courts in certain cases." Referred to judiciary committee.

By Mr. Dickey, a bill "in relation to townships," in Cherokee county. Referred to committee on counties, towns, &c.

CALENDAR.

The hour having arrived for consideration of special order being motion to reconsider the vote by which the bill "to establish the county of Pamlico." Motion to reconsider prevailed

When on motion of Mr. Sparrow, the bill was made special order for Wednesday at 11 o'clock.

On motion of Mr. Justice, the rules were suspended and H. B. 68, "to enlarge powers of County Commissioners" was taken from the table and placed on the calendar.

On motion of Mr. Johnston, of Buncombe, the unfinished business was suspended for purpose of taking up a bill.

And H. B. No. 84, "in favor of James M. Young, sheriff of Buncombe," was taken up and amendments reported by committee of Finance concurred in, and bill passed second and third readings and ordered engrossed.

On motion of Mr. Anderson, the rules were suspended and

"resolutions of enquiry of Secretary of State regarding stationery," was taken up and adopted.

The unfinished business being S. B., "to allow the N. C. and W. N. C. Railroad to consolidate," was taken up when Mr. Strudwick moved to amend by inserting after the words seventeen hundred, in shares of one hundred dollars each, &c.

Mr. Jones, called the ayes and noes. The call was sustained and amendment lost. Ayes 37; Noes 45.

Ayes—Messrs. Anderson, Armstrong, Atkinson, Broadfoot, Bryant of Halifax, Bryson, Crawford, Dickey, Drake, Dunham, Faulkner, Furr, Grayson, Henderson, Houston, Johnston of Buncombe, Jones of Northampton, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Luckey, Mabson, Maxwell, McAfee, McCauley, McNeill, Mills, Robinson, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Stewart, Strudwick and Welch—37.

Noes—Messrs. Brooks, Bunn, Carson, Clinard, Copeland, Ellison, Fisher, Fletcher, Gambrel, Garrison, Gore, Gregory, Guyther, Hampton, Harris of Guilford, Hardy, Hill, Johnson of Edgecombe, Jones of Caldwell, Lassiter, Loftin, Lyon, Marler, McAllister, Morgan of Wake, Mitchell, Newsom, Nisson, Phillips, Paylor, Powell, Rankin, Reavis, Robbins, Shull, Sykes, Tucker, Tomlinson, Withers, Willis, Wilcox, Woodhouse, Williamson, Young of Wake and York—45.

Mr. Strudwick moved to amend 2nd by inserting in line 5 sec. 4, between the words "dollars" and "of" the words "and no more."

Mr. Marler called the ayes and noes. The call was sustained and amendment was lost. Ayes 35; Noes 48.

Ayes—Messrs. Anderson, Armstrong, Broadfoot, Bryant of Halifax, Bryson, Crawford, Currie, Dickey, Drake, Dunham, Faulkner, Furr, Grayson, Guyther, Henderson, Johnston of Buncombe, Jordan, Kelley of Davie, Melsey, Kincade, Luckey, Mabson, Maxwell, McAfee, McCauley, McNeill, Morris, Mills, Robinson, Smith of Anson, Stanford, Stewart, Strudwick, Tomlinson and Welch—35.

NOES—Messrs. Brooks, Bunn, Buxton, Carson, Chamberlain, Clinard, Copeland, Ellison, Fisher, Fletcher, Gambrel, Garrison, Goodwyn, Gore, Gregory, Hampton, Harris of Guilford, Harris of Franklin, Hardy, Hill, Johnson of Edgecombe, Jones of Caldwell, Justice, Lassiter, Loftin, Lyon, Marler, McAllister, Morgan of Wake, Mitchell, Newsom, Nisson, Phillips, Paylor, Powell, Rankin, Reavis, Robbins, Shull, Smith of Halifax, Sykes, Tucker, Withers, Willis, Wilcox, Williamson, Young of Wake and York—48.

When Mr. Strudwick moved to amend section 2, line 33, by inserting between the words "stock" and "shall," the words "to include the entire capitol stock not paid up in money or work."

Mr. Rankin called the ayes and noes. The call was sustained and amendment lost. Ayes 28; Noes 47.

AYES—Messrs. Anderson, Armstrong, Broadfoot, Bryant of Halifax, Bryson, Currie, Drake, Dunham, Faulkner, Garrison, Grayson, Guyther, Henderson, Johnston of Buncombe, Jones of Northampton, Jordan, Kelly of Davie, Luckey, Mabson, Maxwell, McAfee, McCauley, McNeill, Mills, Smith of Anson, Stewart, Strudwick and Welch—28.

NOES—Messrs. Brooks, Bunn, Carson, Chamberlain, Clinard, Copeland, Ellison, Fisher, Fletcher, Gambrel, Gore, Gregory, Hampton, Harris of Guilford, Hardy, Johnson of Edgecombe, Jones of Caldwell, Lassiter, Loftin, Lyon, Marler, McAllister, Morgan of Wake, Mitchell, Newsom, Nisson, Page, Phillips, Paylor, Powell, Rankin, Reavis, Reid, Robbins, Shull, Smith of Halifax, Stanford, Sykes, Tucker, Withers, Willis, Wilcox, Womack, Woodhouse, Williamson, Young of Wake and York—47.

Mr. Stanford moved to amend by providing to wit: "That the State shall have the same amount of stock and same control of the consolidated road as she has in the North Carolina Road, and no increase of private subscription shall ever change said control, and Western North Carolina Railroad shall

abandon any suits against the State pending or to be instituted."

Mr. Crawford called the ayes and noes. The call was sustained and amendment lost. Ayes 39; Noes 42.

AYES—Messrs. Anderson, Armstrong, Broadfoot, Bryson, Crawford, Currie, Dickey, Dunham, Faulkner, French, Furr, Garrison, Gullick, Grayson, Guyther, Henderson, Houston, Johnston of Buncombe, Jones of Northampton, Jordan, Kelsey, Kincade, Luckey, Mabson, Maxwell, McAfee, McCauley, McNeill, Morris, Mills, Page, Robinson, Smith of Anson, Smith of Wayne, Stanford, Stewart, Strudwick, Welch and Young of Yancey—39.

NOES—Messrs. Brooks, Bunn, Carson, Chamberlain, Clinard, Copeland, Ellison, Fisher, Fletcher, Gambrel, Gore, Gregory, Hampton, Harris of Guilford, Hardy, Hill, Johnson of Edgecombe, Jones of Caldwell, Lassiter, Loftin, Lyon, Martin, Marler, McAllister, Morgan of Montgomery, Mitchell, Newsom, Nisson, Phillips, Paylor, Powell, Rankin, Reavis, Robbins, Shull, Tucker, Withers, Willis, Wilcox, Woodhouse, Williamson and York—42.

Mr. Robinson, from committee on Enrolled Bills, reported an act declaratory of the meaning of section 34, chapter 225, of the laws of 1869-'70, and for other purposes; Resolution in regard to printing; Resolution in favor of employees by clerks and doorkeepers; Resolution in favor of William Smith, and joint resolution in appointing a special committee to ascertain the debt of the State, as correctly enrolled, and they ratified; when

Mr. Crawford moved to amend by inserting in line 6, section 2, "not to exceed one hundred and sixty-eight thousand dollars," and called the ayes and noes. The call was sustained and amendment lost. Ayes 32; Noes 41.

AYES—Messrs. Anderson, Armstrong, Broadfoot, Bryant of Halifax, Crawford, Currie, Dickey, Dunham, Faulkner, Furr, Gullick, Grayson, Henderson, Houston, Johnston of Buncombe, Jones of Northampton, Jordan, Kelsey, Kincade,

Luckey, Mabson, Maxwell, McAfee, McNeill, Morris, Mills, Page, Robinson, Smith of Wayne, Stewart, Strudwick and Welch—32.

Noes—Messrs. Brooks, Bunn, Carson, Chamberlain, Copeland, Ellison, Fisher, Fletcher, Gambrel, Gore, Gregory, Hampton, Harris of Guilford, Hardy, Hill, Johnson of Edgecombe, Jones of Caldwell, Lassiter, Loftin, Lyon, Marler, McAllister, Morgan of Wake, Mitchell, Newsom, Nisson, Phillips, Paylor, Powell, Rankin, Reavis, Robbins, Shull, Tucker, Waring, Withers, Wilcox, Womack, Woodhouse, Williamson, Young of Wake and York—41.

When Mr. Luckey moved to amend by adding to section 7, that no part of the dividends of the North Carolina Railroad be used for building said Western North Carolina Railroad, or any part of it: *Provided, further*, That the suit now pending in the Supreme Court for the bonds issued under Convention for said Western North Carolina Railroad shall be abandoned,

When Mr. Ashe moved to suspend unfinished business to take up resolution to pay Commissioners and Clerk in Granville and Person counties, contested election case. The motion prevailed and resolution passed second reading.

When Mr. Page called the ayes and noes on third reading. The call was not sustained and resolution passed third reading.

When Mr. Tomlinson moved to amend amendment, by inserting further than "Salem or Winston," striking out "or any part." Did not prevail,

When Mr. Withers called division of the amendment.

Mr. Johnston called the ayes and noes on first proviso. The call was sustained and amendment adopted. Ayes 45; Noes 41.

Ayes—Messrs. Anderson, Armstrong, Ashe, Broadfoot, Bryson, Carson, Crawford, Currie, Dickey, Drake, Dunham, Faulkner, French, Furr, Garrison, Grayson, Guyther, Harris of Franklin, Hardy, Henderson, Houston, Johnston of Buncombe, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Luckey, Mabson, Maxwell, McAfee, McCauley, McNeill, Morris,

Mills, Page, Paylor, Reid, Robinson, Smith of Anson, Smith of Wayne, Stewart, Strudwick, Welch and Withers—45.

Noes—Messrs. Brooks, Bryan of Halifax, Bunn, Buxton, Chamberlain, Clinard, Copeland, Ellison, Fisher Fletcher, Gambrel, Gregory, Hampton, Harris of Guilford, Hill, Johnson of Edgecombe, Jones of Caldwell, Lassiter, Loftin, Lyon, Martin, Marler, McAllister, Morgan of Wake, Mitchell, Newsom, Nisson, Phillips, Powell, Rankin, Reavis, Robbins, Shull, Tucker, Waring, Willis, Wilcox, Womack, Williamson, Young of Yancey and York—41.

When second proviso was adopted.

Mr. Jordan then moved to postpone further consideration of unfinished business to take up a bill relating to the Penitentiary The motion prevailed,

When a message was read from the Senate, transmitting S. B. "to incorporate Roanoke and Tar River Railroad." Referred to committee on internal improvements.

And Senate amendments to H. B. 315, "supplemental to an act ratified 23d day of Dec., A. D. 1870." (Engrossed copy.) S. B. 395. Bill "in relation to the Penitentiary," to pay Coleman Brothers for work done."

Leave of absence was granted Principle Clerk of the House for one day,

When the bill in relation to the Penitentiary was taken up, and passed second reading.

Mr. Johnston moved to amend, by authorizing the Treasurer to pay the money upon certificate of Commissioners, withdrawn, and bill passed third reading.

The Chairman ordered the following announcement:

House branch of the Joint Committee to ascertain the debt of the State: Messrs. Withers, French and Stanford.

On motion of Mr. Dunham, the House adjourned.

TUESDAY, February 21st, 1871.

The House met at 10:30 A. M., Mr. Speaker Jarvis in the chair, and was opened with prayer by the Rev. Mr. Tucker, of the House.

The Journal of yesterday was read,

When Mr. Fisher asked for a correction. The impression appeared to be made by the report of the committee on the Adjutant General's report, that such report was, unsatisfactory, whereas, he understood the committee to take exception to the insufficiency of the papers and other evidence, which were not in the Adjutant General's office.

Mr. Jordan sustained the views of Mr. Fisher on the subject, and added that in the report submitted by the majority of the committee on spies and detectives, the name of P. A. Wiley appears incorrectly, as having been paid money under the act. Whereas, it does not appear that Mr. Wiley was paid any money on his own account, and his name should not have appeared at all.

Mr. French rose to a question of privilege, complaining of, and denouncing statements which appeared in the morning *Sentinel* newspaper, over the signature of L. W. Martin, member from Carteret, growing out of the discussion on the bill to appoint an Assistant of Public Instruction for the State.

REPORTS OF COMMITTEES.

Mr. Robinson, from Committee on Enrolled bills, reported the following as having been correctly enrolled: an act "to authorize the Public Treasurer to pay money to erect the Penitentiary," and a resolution "to pay Commissioners and Clerks in the Granville and Person contested election case," and they were ratified.

Mr. Ashe, from the Committee on the Judiciary, reported favorably on S. B. 40, "to repeal certain parts of chapter 170,

laws of 1868 and '69;" H. B. 421, "an act to secure a lien to mechanics and laborers;" H. B. 228, to repeal section 31, chapter 201, of act 12th of April, 1869;" H. B. 119, "to abolish special court of city of Wilmington;" and unfavorably on H. B. 34, "to amend an act to create a mechanics and laborers lien law," and H. B. 359, "to grant pardon and general amnesty to all political and criminal offenders, between January 1st, 1860, and 20th day of May, 1865."

Mr. McAfee, from Committee on Education, reported unfavorably to H. B. 431, "to create the office of Assistant of Public Instruction."

Mr. Stanford, from Committee on Finance, reported on H. R. 194, "recommending a bill as a substitue therefor."

Mr. Henderson, from Committee on Corporations, reported favorably upon S. B. 222, "to charter the Citizen's Bank;" S. B. 261, "to incorporate Homestead and Building Association;" H. B. 408, "to incorporate the trustees of Little River Academy in Cumberland county;" H. B. 414, "to incorporate the Nevassa Guano Company of Wilmington," and H. B. 400, "to incorporate the Huntoon Chemical and Soap Company of North Carolina," with an amendment.

INTRODUCTION OF BILLS.

Mr. Gregory, "a bill to provide for the enlarging, completion, &c., of the Chesapeake and Albemarle Canal." Referred to committee on internal improvement.

Mr. Waring, a bill "to amend the charter of the city of Charlotte." Referred to committee on corporations.

Mr. Ellison, a bill "for the further protection of mechanics and other laborers." Referred to committee on judiciary.

Mr. McNeill, a bill "for the relief of Walter L. Steele." Referred to committee on finance.

Mr. Justice, by leave, introduced a resolution "providing for the transportation on railroads for prisoners in the penitentiary to their homes." Placed on calendar.

UNFINISHED BUSINESS.

The morning hour having expired, the unfinished business was taken up.

Mr. Sparrow moved to postpone unfinished business to take up bill "to authorize the commissioners of the town of Washington to collect taxes heretofore levied," with an amendment, which motion prevailed. The amendment was adopted and the bill put upon its several readings and passed.

On second reading of bill "to allow the North Carolina Railroad to consolidate with the Northwestern North Carolina Railroad, Mr. Jones of Caldwell, called for the ayes and noes, and the bill passed its second reading. Ayes 51; Noes 44.

Ayes—Messrs. Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Carson, Clinard, Copeland, Dudley, Ellison, Fisher, Fletcher, Gore, Gregory, Hampton, Harris of Guilford, Hardy, Hill, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Kelly of Davie, Lassiter, Loftin, Lyon, Martin, Mabson, Marler, McAllister, Morgan of Wake, Mitchell, Newsome, Nisson, Page, Phillips, Paylor, Powell, Rankin, Reid, Robbins, Settle, Shull, Smith of Halifax, Sykes, Tucker, Tomlinson, Waring, Withers, Willis, Wilcox, Woodhouse, Williamson, Young of Wake and York—52.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Chamberlain, Crawford, Currie, Dickey, Dunham, Faulkner, French, Furr, Gullick, Grayson, Guyther, Henderson, Houston, Hinnant, Johnston of Buncombe, Joyner of Johnston, Jordan, Justice, Kincade, Luckey, Maxwell, McAfee, McCauley, McNeill, Morris, Mills, Robinson, Smith of Anson, Smith of Wayne, Stewart, Strudwick, Welch, Womack and Young of Yancey—44.

Mr. Sparrow asked and obtained leave to be excused from voting.

Mr. Lucas was also excused.

A message was received from the Senate, announcing passage of S. B. 297, "to incorporate the Town of Lincolnton;"

S. B. 221, "to cure certain errors in the jurisdiction of the courts; S. R. 435, "instructions to the Committee on public buildings;" S. R. 316, "in favor of W. P. Batchelor, "and S. R. 82, "concerning help for the door keeper," and returning H. R. 20, "instructing Senators and requesting Representatives in Congress to urge the passage of an act of general amnesty;" and H. B. 115, "requesting Senators and Representatives to solicit additional appropriations for the improvement of the Cape Fear Bar," with engrossed copies of the Senate amendments thereto.

And the Senate amendments to the latter were concurred in by the House.

Mr. Brown, by permission, introduced a bill "in regard to the duties of Solicitor in criminal prosecutions;" which was referred to committee on judiciary.

Leave of absence was granted to Mr. Mabson for one day.

Mr. Lottin asked suspension of rules to take up resolution "providing for an adjournment on the 22d;" which did not prevail.

Mr. Mabson asked suspension of the rules to introduce a resolution to the same purport. Lost.

CALENDAR.

S. B. No. 3, "in relation to municipal election in the town of Elizabeth City," was put on its second reading.

Mr. Mabson moved to lay the bill on the table.

Mr. Justice called the ayes and noes and motion was lost. Ayes 34; Noes 45.

Ayes—Messrs. Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Carson, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Guyther, Harris of Franklin, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morris, Morgan of Wake, Newsom, Nisson, Page, Reavis, Robbins, Robinson, Smith of Halifax Sykes, Tucker, Willis and Williamson—34.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Chamberlain, Clinard, Currie, Dickey, Drake, Dunham, Furr, Gore, Grayson, Gregory, Hinnant, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelsey, Lassiter, Loftin, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Paylor, Powell, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Woodhouse and Young of Yancey—45.

On motion of Mr. Sykes, bill was referred to committee on corporations.

Mr. Welch, by permission, introduced a resolution "instructing the Secretary of State to have published in a daily paper of the city of Raleigh, for one week, the act authorizing sheriffs and tax collectors to collect arrears of taxes."

Mr. Mabson moved to strike out *Sentinel.*

Mr. French moved to amend, by inserting *Telegram* and *Wilmington Star.*

Mr. Waring moved to amend, by adding *Charlotte Democrat,*

Mr. Marler moved to lay resolution on the table; which prevailed.

Mr. Furr, by permission, introduced a bill to incorporate the Cabarrus and Rocky River Bridge Company; which was referred to committee on corporations.

Mr. Houston moved to take up bill "for the incorporation of the city of Raleigh." Motion failed.

Mr. Jordan asked suspension of the rules to introdute a resolution "for the expediting of the business of the House." And rules were not suspended.

Mr. McAllister moved to suspend rules to take up S. B. 382, "to authorize commissioners of Alamance to revise jury lists." Motion prevailed, and

Mr. Brown moved to amend by adding "Davidson."—Amendment was adopted, and bill put upon and passed second and third readings.

Mr. Gregory asked leave to introduce resolution concerning night sessions. Lies over.

Mr. Phillips asked leave to introduce a resolution in favor of Kimbro' Jones; which was referred to committee on claims.

Mr. Ashe moved to take up the substitute for the various bills for the suppression of secret political organizations which was reported by the committee. And the bill was put on its second reading and passed. Ayes 85; Noes 5.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryan of Jones, Bryson, Bunn, Buxton, Carson, Chamberlain, Clinard, Copeland, Crawford, Currie, Dickey, Drake, Dunham, Ellison, Faulkner, French, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hardy, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Justice, Kelly of Davie, Kelsey, Kincaid, Lassiter, Loftin, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Wake, Mitchell, Newsom, Paylor, Powell, Rankin, Reid, Robbins, Robinson, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Sykes, Tucker, Tomlinson, Waring, Welch, Willis, Wilcox, Womack, Woodhouse and York—85.

Noes—Messrs. Jordan, Mills, Page, Phillips and Williamson—5.

And was put upon its third reading.

Mr. Marler moved to print bill, and make it special order for Friday at 12 o'clock. Lost, and

Mr. Dudley moved to postpone indefinitely; which was also lost, and bill was put on its third reading and passed. Ayes 85; Noes 14.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryan of Jones, Bryson, Buxton, Carson, Chamberlain, Clinard, Copeland, Crawford, Currie, Dickey, Drake, Dunham, Ellison, Fletcher, French, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory,

Hampton, Harris of Guilford, Harris of Franklin, Hardy, Henderson, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Justice, Kelly of Davie, Kelsey, Kincaid, Lassiter, Loftin, Lucas, Luckey, Lyon, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Wake, Mitchell, Newsom, Page, Paylor, Powell, Rankin, Reid, Robbins, Robinson, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Sykes, Tomlinson, Waring, Welch, Willis, Wilcox, Womack, Woodhouse and York—85.

Noes—Messrs. Bunn, Dudley, Faulkner, Fisher, Jones of Northampton, Jordan, Mabson, Mills, Nisson, Phillips, Reavis, Tucker, Withers and Williamson—14.

Leave of absence was granted to Mr. Crawford for one day.

Mr. Waring, asked suspension of the rules to take up S. B. 260, "to amend an act incorporating the Atlantic, Tennessee and Ohio Railroad." Pending which,

Mr. Sparrow offered a resolution in regard to Messrs. French and Martin, requiring an apology to the house from both gentlemen for the use of disrespectful language.

Mr. Welch, raised a point of order, that the resolution of censure should have been introduced before the intervention of other business, and that the point having been passed, no notice can now be taken of the matter by the House. Other gentlemen participated in the discussion of the question.

The chair did not regard the resolution as a vote of censure. Rules in digest govern this House, when no rule to the contrary appears. The rule in the Digest does not possibly prohibit the House from taking action. In his opinion, the resolution is not a direct censure, and was therefore in order. The resolution passed.

Whereupon, Mr. French made an apology to the House for his disrespect, which the chair pronounced amply sufficient.

Mr. Martin, also made a satisfactory apology.

The rules were then suspended on Mr. Waring's motion, and S. B. 260 was taken up and passed second reading, and there

being no objection was put upon and passed its 3rd reading, and was ordered to enrollment.

Leave of absence was granted to Mr. Reavis for one day.

On motion the House adjourned.

WEDNESDAY, February 22d, 1871.

The House met at 10, a. m., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Hardy of the House.

The journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Powell from Committee on Engrossed Bills, reported H. B. 84, "for relief of James M. Young, Sheriff of Buncombe," as correctly engrossed.

Mr. McCauley from Committee on Counties, Towns, &c., reported favorably on S. B. 430, "to amend the charter of the city of Charlotte."

Mr. Tomlinson from the Committee on Deaf, Dumb and Blind Asylum, reported a substitute for H. B. 183, "relative to Deaf, Dumb and Blind Asylum," and amendment to H. B. 391, "making appropriation for the Deaf, Dumb and Blind Asylum."

Mr. Welch was reported absent on account of illness.

INTRODUCTION OF RESOLUTIONS.

By Mr. Chamberlain, "a resolution in favor of Alford Aydlet, Sheriff of Camden." Referred to committee on Propositions and Grievances.

INTRODUCTION OF BILLS.

By Mr. Stanford, a bill "to construct a Railroad from Ke-

nansville to Clinton." Referred to committee on internal improvements.

By Mr. Brown, a bill "concerning costs in principal actions." Referred to judiciary committee.

By Mr. McAfee, "to amend chap. 106 of Public Laws of 1869–'70." Referred to committee on internal improvements.

By Mr. Chamberlain, a bill "to incorporate the Stock Raising and Fishing Company." Referred to committee on agriculture, &c.

By Mr. Page, a bill "to enable the landless of Chowan to purchase homesteads." Referred to committee on propositions and grievances.

By Mr. Robinson, "to incorporate Alsayer & Corundrum Manufacturing Company." Referred to committee on corporations.

CALENDAR.

A motion of Mr. Martin to suspend the rules to take up a bill, failed for want of a quorum.

Mr. Martin renewed his motion and called the ayes and noes. The call was not sustained and the rules were suspended, and bill to repeal an act in relation to quarantine regulations of Beaufort, was taken up and passed second and third readings and ordered engrossed.

S. R. on second reading, joint resolution of instructions to Committee on Public Buildings and Grounds, was taken up and passed.

On motion of Mr. Henderson, the rules were suspended and S. B. No. 290, "to amend the charter of the City of Raleigh" on third reading, was taken up and passed.

Mr. Robinson, from Committee on Enrolled Bills, reported an act to amend an act relative to the Western Turnpike Company; an act to restore and reinstate burnt records in several counties; an act in relation to town lots in Franklin and Boon;

an act to amend an act of December 14th, 1869, incorporating the town of Hickory Tavern; an act to confirm sales of lots in Sparta; and they were ratified.

By Mr. Sparrow, a motion to suspend the rules and S. R. concerning employees by doorkeeper of the Senate, was taken up and passed second and third readings.

On motion of Mr. Jones, the special order was postponed and rules were suspended and moved to make bill to consolidate North Carolina and North Western North Carolina Railroad special order for to-morrow at 12 m.

Mr. Bryson moved to amend by making it special order for 11 o'clock Friday. Lost.

Mr. Johnston, to make it special order for 10 o'clock Friday, and motion prevailed.

Special order being a bill to lay off and establish the county of Pamlico, was taken up; when

Mr. Sparrow moved a substitute, which was adopted, and passed second and third readings and ordered engrossed.

On motion of Mr. Dickey, the rules were suspended and H. B. to establish the new county of Lee, was taken up and failed for want of a quorum.

Mr. Dickey renewed his motion and called the ayes and noes. The call was sustained and the bill passed second reading.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Cawthorn, Carson, Chamberlain, Copeland, Currie, Darden, Dickey, Drake, Dunham, Fletcher, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Hardy, Henderson, Hill, Hinnant, Johnston of Buncombe, Joyner of Johnston, Jordan, Justice, Kelly of Davie, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, Morris, Mills, Mitchell, Nisson, Paylor, Powell, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Wilcox, Womack, Woodhouse, Young of Yancey and York—63.

Noes—Messrs. Bryant of Halifax, Bunn, Buxton, Ellison,

Fisher, French, Goodwin, Guyther, Johnson of Edgecome, Jones of Caldwell, Jones of Northampton, Phillips, Robbins, Sykes, Tucker, Williamson and Young of Wake—17.

On motion of Mr. Anderson, the rules were suspended and the bill was put on third reading, when Mr. Waring, moved to amend, by inserting 1888 instead of 1875. Amendment was adopted,

When Mr. Ellison moved to indefinitely postpone, and called the ayes and noes; the call was not sustained, and motion did not prevail, and bill passed third reading.

A message was received from the Senate, transmitting and asking concurrence in the passage of S. R. 372, "in favor of Alex. M. Turner." Referred to committee on claims.

S. B. 202, "to amend sec. 47, chap. 93, laws of 1868–'69;" S. B. 169, "to amend an act to incorporate the Bladen Manufacturing Company." Referred to committee on corporations.

S. B. 438, "in relation to payment of Assistant Door Keeper; and S. B. 257, "for the better government of the town of Hertford;" also that the Senate has concurred in the amendments by the House to H. B. 412, S. B. 396, "to authorize commissioners of Washington to collect taxes levied;" and H. B. 432, S. B. 382, "to authorize commissioners of Alamance to revise the jury list;" bills and resolutions referred,

When, on motion of Mr. Sparrow, the rules were suspended, and S. R. "to allow pay to employees by Door Keeper of the Senate, was taken up, and passed second and third readings and ordered enrolled.

On motion of Mr. Lucas, the rules were suspended and H. B. "to suspend the time for collection of taxes in the several counties in the State, was taken up, when Mr. French moved to commit to committee on finance. Motion withdrawn.

Mr. Loftin moved to amend be inserting additional section, repealing interfering acts. Amendment was adopted, and bill passed second reading, when Mr. Strudwick moved to refer to finance committee. Motion failed for want of a quorum.

Mr. Strudwick renewed his motion and called the ayes and noes.

When Mr. Waring moved to lay on the table. Motion lost.

When by universal consent, the bill was committed to finance committee.

On motion of Mr. Brown the rules were suspended, and bill "to abolish the office of State Geologist" was made the special order for Thursday of next week.

On motion of Mr. Stanford, the rules were suspended, and S. B. No. 146, to repeal an act "authorizing Commissioners of Jones to levy a special tax," was made special order for Friday week.

On motion of Mr. Gregory, the rules were suspended for the purpose of making a bill special order. Bill not on calendar.

Mr. Dunham moved that the rules be suspended for three days, and that the calendar be considered at the option of the Speaker. Motion prevailed.

On motion of Mr. Houston the rules were suspended, and H. B. 296, "in relation to Salaries of County Officers and Supreme Court Clerk," was taken up.

Mr. Robinson in the chair.

When Mr. Gregory moved to commit the bill to a select committee of three, and motion did not prevail.

When Mr. Johnston, of Buncombe, moved to strike out in paragraph 3, lines 7 and 8, section 6. Motion withdrawn by consent for purpose of offering a substitute, that no person shall be paid as special venire, &c.,

When Mr. Phillips offered an amendment which was accepted, in section 6, line 3, insert "persons empanneled and sworn as," between "to" and "special." Which amendment to amendment was adopted.

When Mr. Waring moved to amend line 11, section 4, strike out twenty and insert thirty.

Mr. Justice moved to refer bill to a special committee of five, and motion prevailed.

On motion of Mr. Sparrow, the rules were suspended, and H. B. 415, "to define the rights of tax collectors," was taken up and passed 2d and 3d readings and ordered engrossed.

Mr. Gregory, by consent, introduced a resolution in favor of F. F. Jones, Sheriff of Tyrrell county, and moved suspension of the rules to consider the resolution. The motion prevailed and resolution passed second and third readings and ordered engrossed.

On motion of Mr. Ashe, the rules were suspended and H. B. 118, to abolish the Special Court of city of Wilmington was taken up and passed second and third readings and ordered engrossed.

Mr. Powell, from Committee on Engrossed Bills, by consent, reported H. B. 351, "to authorize R. B. Webster and Robert Lewis to collect arrears of taxes," as correctly engrossed.

Mr Tomlinson, by consent, introduced a resolution requiring the House to meet at 9½ o'clock a. m., and adjourn at 2½ o'clock p. m., and asked suspension of the rules to take up the resolution. Out of order for one day.

Leave of absence by unanimous consent was granted Mr. Young, of Yancey, from Friday to visit home and return.

On motion of Mr. Jones, of Caldwell, the rules were suspended and S. R. "in favor of Alex. M. Turner" was taken from committee on claims and, on motion of Mr. Withers, recommitted.

On motion of Mr. Jordan, leave of absence indefinitely to Mr. Sykes on account of sickness in family.

Mr. Kelsey, by consent, introduced a bill "to amend an act to incorporate Warm Springs Colony," when on motion of the same the rules were suspended, and the bill passed second and third readings and ordered engrossed.

By order of the Chair, Messrs. Justice, Gullick, Phillips, Jordan and Stanford were appointed select committee of five on bill relating to salaries and fees of county officers, &c.

On motion of Mr. Morris, the rules were suspended, and H. B. "to legalize election of municipal officers of Hendersonville, in Henderson county," was taken up and passed second and third readings.

When Mr. Waring moved to adjourn in respect to the memory of General George Washington, and motion prevailed.

THURSDAY, February 23d, 1871.

The House met at 10 a. m. Mr., Speaker Jarvis in the Chair.

Prayer by the Rev. Mr. Grayson of the House.

The journal of yesterday was read and approved.

A message was sent transmitting and asking concurrence of the Senate in the passage of, H. B. 351, "a bill to authorize R. B. Webster and Robert Lewis, to collect arrears of taxes," and, H. B. 84, "for relief of James M. Young, sheriff of Buncombe." Also a message transmitting bills reported by Committee on Engrossed Bills as follows: H. B. 233, "to legalize late election for Municipal officers in Hendersonville;" H. B. 223, "to repeal an act for the preservation of health in Beaufort;" H. B. 119, "to abolish Special Court of city of Wilmington;" H. B. 415, "to define the rights of tax collectors;" H. B. 458, "to amend act to incorporate Warm Springs Colony in madison;" and H. R. 214 "in favor of F. F. Jones, Sheriff of Tyrell, and asking concurrence in the passage of the same.

Mr. Brown from Committee on Agriculture, &c., reported favorably on H. B. "to incorporate N. C. Stock raising and Fishing Company."

Mr. Welch from Committee on Internal Improvements reported favorably on S. B. 258, "to incorporate the Roanoke and Tar River Railroad Company."

Mr. McNeill from Committee on Propositions and Grievances, reported a substitute to H. B. 355, a bill "to prevent sale of liquors near Montpelier Church, in Robeson County;" asking discharge from consideration of H. B. 13, "in regard to change of line between Nash and Edgecombe Counties;" and unfavorably to H. B. 213, "to collect arrears of taxes in Camden County."

INTRODUCTION OF RESOLUTIONS.

By Mr. Dunham. A resolution "requesting the Governor to communicate the opinion of the Attorney General in relation to bill concerning a Convention of the people." On calendar.

By Mr. Morris. A resolution in "regard to two sessions daily." Placed on the calendar.

By Mr. York. A resolution "in favor of two daily sessions." Placed on calendar.

INTRODUCTION OF BILLS.

By Mr. Sparrow. A bill with memorial "in relation to fishing in Pamlico and Tar River and Tranter's Creek." Placed on calendar.

By same. A bill "to incorporate the Seaboard, Charlotte & Augusta Railroad." Referred to committee on internal improvements.

By Mr. Broadfoot. An act "to amend chapter 2, title XI, Code of Civil Procedure, in relation to proceedings supplemental to execution." Referred to judiciary committee.

By Mr. Dudley. A bill "to prevent cruelty to animals." Referred to committee on propositions and grievances.

CALENDAR.

H. B. on second reading. A bill "for better government of

the city of Newbern, &c., was taken up, when Mr. Sparrow offered a substitute, which was adopted, which Mr. Dudley moved to amend, requiring ratification of act by the voters of the city, when the bill passed second reading and the rules were suspended and Mr. Dudley's amendment was lost.

Mr. Willis moved to amend by striking out "20" and insert "40" as salary of policeman. The amendment was adopted and bill passed third reading.

S. B. on third reading, "to provide for levy of special tax in Bertie" was taken up, and Mr. Waring moved to postpone indefinitely. Withdrawn, and moved to amend by striking out "qualified voters" and insert "male tax payers."

Mr. Johnson, of Edgecombe, moved to table amendment, and motion prevailed.

H. B., on second reading. A bill "for support of Deaf, Dumb and Blind Asylum," appropriating $40,000 for support of the Institution, and bill passed second reading,

When Mr. Jordan, from Judiciary, by consent, reported favorably on H. B. "to cure mistakes in judgments."

Mr. Robinson, from Committee on Enrolled Bills, reported "an act to amend the charter of the City of Raleigh;" "an act to amend an act to incorporate the Atlantic, Tennessee & Ohio Railroad; "an act to legalize the acts of justices in Brunswick county; "resolution in relation to payment of assistants employed by doorkeeper of the Senate to execute process, &c;" joint resolution concerning help for the doorkeepers of the Senate and House of Representatives; "resolution of instructions to Senators and Representatives to urge passage of an act for general amnesty," all as correctly enrolled, and they were ratified; also, resolution "to solicit appropriations for improvement of Cape Fear bar and Pamlico river."

On motion of Mr. Tomlinson, the rules were suspended and bill "for relief of Deaf, Dumb and Blind Asylum," was put on its third reading.

Mr. McNeill moved to amend requiring the payment to be

in equal quarterly instalments, which was adopted and bill passed third reading.

S. B. on second reading, "to cure certain errors in the jurisdiction of Superior Courts," was taken up and passed second reading; when

Mr. Jordan moved to amend by inserting after "Superior Court" and "Probate Court;" and bill laid over.

H. B., on second reading, "to allow Commissioners of Currituck to levy a special tax, was taken up and passed second reading. Ayes 50; Noes 21.

Ayes—Messrs. Anderson, Ashe, Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Copeland, Currie, Darden, Dickey, Dudley, Ellison, Faulkner, Fisher, Furr, Gambrel, Goodwyn, Gullick, Grayson, Harris of Guilford, Harris of Franklin, Hardy, Hill, Johnson of Edgecombe, Jones of Northampton, Justice, Kelly of Davie, Kincade, Lucas, McCauley, Morris, Newsom, Phillips, Paylor, Powell, Robbins, Robinson, Smith of Halifax, Stanford, Stewart, Tucker, Waring, Withers, Willis, Woodhouse, Young of Wake and York—50.

Noes—Messrs. Armstrong, Brown, Clinard, Fletcher, Gore, Guyther, Hampton, Hinnant, Jones of Caldwell, Joyner of Johnston, Lassiter, Luckey, Marler, Maxwell, McAfee, McAllister, McNeill, Mills, Nicholson, Shull, Smith of Wayne and Womack—21.

A message was received from the Senate, transmitting and asking concurrence in passage of S. B. 273, "to change line between Bladen and Columbus counties. Referred to committee on counties, towns, &c.

S. B. 170, "to prevent sale of spirituous liquors near Antioch church." Referred to committee on propositions and grievances.

S. R. 465, "requesting Raleigh *Sentinel* to publish a certain act;" referred to committee on printing; and S. B. 145, "to incorporate the Fayetteville Independent Bucket Company. Referred to committee on corporations.

S. B. on second reading, "to incorporate the Mechanics' Association of Wilmington," was taken up and passed second and third readings and ordered enrolled.

When Senate amendment to H. B. "in relation to taking wild fowls in Currituck," was concurred in.

S. B. on second reading, a bill "to repeal sec. 2, chap. 170, of laws of 1868–'69," amendments reported by committee adopted, and bill passed second and third readings.

S. B. on second reading "to amend and repeal certain sections of chapter 270 of laws of '68–'69," was taken up and amended upon motion of Mr. Ashe, and passed second and third readings.

Mr. Strudwick, by consent, reported from Finance Committee a substitute for bill accompanying H. B. No 10 from Commissioners of New Hanover county.

Mr. Robinson, by consent, introduced a bill "to amend the Code of Civil Procedure." Referred to judiciary committee.

S. B. on second reading, "to amend the charter of the city of Charlotte," was taken up and passed second reading. Ayes 72; Noes none.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Bryan of Jones, Bryson, Bunn, Cawthorn, Clinard, Copeland, Currie, Darden, Dickey, Dudley, Ellison, Fletcher, French, Furr, Gambrel, Goodwyn, Gore, Gullick, Grayson, Hampton, Harris of Franklin, Henderson, Hill, Hinnant, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Kelly of Davie, Kincade, Lassiter, Loftin, Luckey, Lyon, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Newsom, Nicholson, Phillips, Paylor, Powell, Reid, Regan, Robbins, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Stewart, Sykes, Tucker, Tomlinson, Waring, Withers, Wilcox, Womack, Woodhouse, Williamson, Young of Wake and York—72.

Noes—None.

S. B. on second reading, "to authorize Robt. M. Stafford,

sheriff of Guilford, to collect arrears of taxes," was taken up and passed second and third readings and ordered enrolled.

S. B. 105, on second reading, "in relation to bonds given by administrators, executors," &c., was taken up and passed second and third readings and ordered enrolled.

S. B. No. 119, on third reading, "to allow commissioners of Chatham to levy a special tax," &c., was taken up and replaced on the calendar.

S. B. on second reading, "concerning debts contracted by municipal corporations," was taken up and passed second and third readings and ordered enrolled.

S. B. on second reading, "to prohibit justices of the peace to practice law in certain cases," was taken up and passed second and third readings and ordered enrolled.

S. B. on second reading, "to establish Whiteside Turnpike Road in Macon county," was taken up and passed second and third readings and ordered enrolled.

Mr. French rose to explain why the sheriff of New Hanover has not paid his taxes.

H. B. on second reading, by request, was taken up to allow commissioners of Wilkes to take privy examination of *femes covert*, when

Mr. Anderson moved to refer to Judiciary Committee. Motion prevailed.

By request, bill "to change the time for holding courts in New Hanover, was referred to judiciary committee.

S. B. on second reading, "to punish railroad officials for embezzlement, was taken up and passed second reading,

When Mr. Martin moved to adjourn and motion prevailed.

FRIDAY, February 24th, 1871.

The house was called to order by Mr. French at 10 A. M. Prayer by Rev. Mr. Tucker of the House.

REPORTS OF COMMITTEES.

Mr. McCauley, from committee on Counties, Towns, &c., reported favorably on bill "to amend corporation of Lincolnton, and on "an act concerning townships in Cherokee county.

Mr. Ashe, from Finance Committee, reported "an act for relief of the Western North Carolina Railroad Company, recommending its passage. Asking relief from further consideration of H. B. 290, "to authorize sheriff of Pasquotank to collect arreas of taxes," and amendment to H. B. 103 a bill to change the time for settling taxes;" to "authorize commissioners of Bladen to levy special tax," and S. B. 296, "to authorize tax collectors to collect taxes in same manner as sheriffs."

Mr. Currie, from Committee on Corporations, reported favorably on S. B. 169, "to amend an act to incorporate Bladen Manufacturing Company; H. B. 433, "to incorporate Elmwood Lodge, F. A. M.;" H. B. 460, "to incorporate Culsagee and Corundum Manufacturing Company," and H. B. 410, "to incorporate Co-operative Savings and Loan Association."

Mr. Clinard, from Committee on Engrossed Bills, reported as correctly engrossed, bills H. B. 283 "to lay off the county of Lee;" S. B. 40 "to repeal certain parts of chapter 170, acts of 1868–'69;" H. B. 153 "to establish a new county of Pamlico."

By order of the Speaker, it was announced that Mr. Loftin be placed on same committees as his predecessor, Mr. Parrott.

INTRODUCTION OF RESOLUTIONS.

By Mr. Darden, "a resolution in regard to stationery." Placed on calendar.

By Mr. Dickey, a resolution "in favor of A. S. Hill, sheriff of Cherokee." Placed on calendar.

BILLS INTRODUCED.

By Mr. Reid, a bill "to allow citizens of counties to regulate range of stock." Referred to committee on agriculture.

Mr. Settle rose to a question of privilege referring to article in morning *Sentinel*.

Mr. Maxwell introduced a bill "to incorporate the South River Draining Company." Referred to committee on corporations.

Messrs. Carson and Justice both rose to a question of privilege; each explaining their position on subject of Convention.

By Mr. Joyner, of Johnston, a bill "relating to right of dower of married women." Referred.

Messrs. Brown and Nisson rose to refer to *Sentinel* article.

On motion of Mr. Sparrow, bill "to incorporate Seaboard, Charlotte & Augusta Railroad Company," was ordered to be printed.

CALENDAR.

H. B. on second reading, "bill to prevent fishing in Pamlico and Tar river and Tranter's creek," was taken up and passed second and third readings and ordered engrossed.

S. R. on second reading, "to raise a committee of enquiry on Cape Fear Navigation Company," was taken up; and

Mr. Ashe offered a substitute which was adopted and passed second and third readings and ordered engrossed.

S. B. on second reading, "to incorporate Roanoke and Tar River Railroad Company, was taken up and passed second and third readings; when

Mr. Gregory moved to reconsider and to lay the motion on the table. Motion prevailed.

S. B. 221, on third reading, passed over.

H. B. on third reading, "to amend charter of Charlotte was taken up and passed over.

S. B. 151, "to punish railroad officials for embezzlement," on third reading, was taken up and passed and ordered enrolled.

Mr. Phillips, by consent, introduced a bill "to protect the interest of the State at sales under execution." Referred to finance committee.

Mr. Jones, of Caldwell, from Committee on Immigration, reported favorably on bill in favor of immigration."

S. B. on second reading, "to amend section 3, chapter 122, of acts of 1869–'70, was taken up and passed second and third readings and ordered engrossed.

S. B. No. 201, on second reading, "to amend act to incorporate Wilmington Steam Fire Engine Company, was taken up and passed second and third readings and ordered enrolled.

S. B. 211, on second reading, "to authorize commissioners of Hyde to levy a special tax," was taken up; when

Mr. Lucas offered a proviso "that no more than $1,000 shall be elolected in one year." Passed over.

A message was sent to the Senate announcing concurrence in several Senate bills.

S. R. 211, on second reading, "in regard to printing Governor Holden's annual message" was taken up.

Mr. Justice moved to lay on table.

Motion failed for want of a quorum.

Mr. Nicholson called the ayes and noes on second reading.

Mr. Justice moved to postpone indefinitely, and called the ayes and noes.

The call was sustained and motion did not prevail. Ayes 36; Noes 49.

AYES—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Garrison, Goodwyn, Gullick, Grayson, Guyther, Harris of Guilford, Johnson of Edgecombe,

Jones of Northampton, Justice, Loftin, Lyon, Morris, Morgan of Wake, Newsom, Nisson, Phillips, Reavis Robbins, Smith of Halifax, Tucker, Willis and Young of Wake—36.

Noes—Messrs. Armstrong, Ashe, Atwater, Bryson, Chamberlain, Currie, Dickey, Drake, Furr, Gambrel, Gregory, Hampton, Houston, Hill, Hinnant, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Page, Reid, Regan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Stewart, Strudwick, Tomlinson, Waring, Withers, Wilcox, Womack, Woodhouse and York—49.

Mr. Lucky moved to amend by striking out the words "and Auditor's report," and motion to amend prevailed.

When Mr. Currie, from Committee on Enrolled Bills reported "an act to authorize commissioners of Alamance and Davidson to revise the jury list of said counties;" "An act to authorize commissioners of town of Washington to collect taxes levied;" "an act to incorporate the Mechanics Association of Wilmington;" "an act to authorize R. M. Stafford, sheriff of Guilford, to collect arrears of taxes;" "an act to prohibit justices from practicing as attorneys in certain cases;" "an act in relation to bonds of administrators, &c.;" "an act to establish the county of Swain;" "an act defining the authority of tax collectors," as correctly enrolled and they were ratified.

Mr. Sykes moved to strike out the word "proper" in proviso to resolution to print Governor's message. Motion lost.

Mr. Page moved to strike out all after the word message. Motion did not prevail.

Mr. Justice moved to amend by including message of Gov. Caldwell in relation to Convention. Amendment did not prevail.

Mr. Page moved to postpone till Monday at 11 o'clock. Lost.

Mr. Dudley called the ayes and noes, and resolution passed 2nd reading. Ayes 46; Noes 36.

Ayes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Chamberlain, Currie, Dickey, Drake, Furr, Gambrel, Gore, Gullick, Gregory, Hampton, Houston, Hill, Hinnant, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Luckey, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Reid, Regan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Stewart, Strudwick, Waring, Withers, Womack and Woodhouse—46.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwin, Grayson, Guyther, Harris of Franklin, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Morris, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Tucker, Willis and Young of Wake—36.

And bill "to allow commissioners of Hyde county to levy a special tax" was taken up, and amendment offered by committee considered, when

Mr. Lucas moved to postpone indefinitely, and motion prevailed.

Mr. Mabson moved to reconsider the vote by which S. B. No. 320 "to authorize a levy of a special tax in Bertie" was laid on the table. Motion prevailed. Ayes 51; Noes 18.

Ayes—Messrs. Ashe, Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Copeland, Dickey, Dudley, Ellison, Faulkner, Gambrel, Garrison, Goodwin, Grayson, Guyther, Hampton, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Justice, Kelly of Davie, Loftin, Lyon, Marler, Maxwell, McAfee, McCauley, Morgan of Wake, Mitchell, Newsom, Nisson, Page, Paylor, Reavis, Robbins, Robinson, Settle, Smith of Anson, Strudwick, Sykes, Tucker, Tomlinson, Withers, Willis, Womack, Woodhouse, Young of Wake and York—51.

Noes—Messrs. Armstrong, Atwater, Carson, Chamberlain, Clinard, Currie, Drake, Furr, Gore, Gregory, Hinnant, Jordan,

Lassiter, Luckey, McNeill, Mills, Regan and Smith of Wayne —18.

And motion to table dill not prevail, and bill passed 3rd reading. Ayes 39; Noes 31.

Ayes—Messrs. Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Copeland, Darden, Drake, Dudley, Ellison, Fisher, Gambrel, Goodwin, Grayson, Guyther, Harris of Franklin, Johnson of Edgecombe, Jones of Northampton, Justice, Kelsey, Loftin, Lyon, Morris, Morgan of Wake, Newsom, Nisson, Page, Reavis, Robbins, Robinson, Smith of Halifax, Sykes, Withers, Willis, Woodhouse, Young of Wake and York—39.

Noes—Messrs. Anderson, Armstrong, Atwater, Brooks, Brown, Chamberlain, Clinard, Currie, Faulkner, Furr, Gore, Gullick, Gregory, Hampton, Hill, Hinnant, Jordan, Lassiter, Lucas, Luckey, Maxwell, McAfee, McNeill, Mills, Nicholson, Paylor, Shull, Smith of Anson, Smith of Wayne, Stewart and Waring—31.

Mr. York, by consent, introduced a bill in relation to payment of costs by Jesse T. Ferguson, sheriff of Wilkes.

H. B. to waive homestead exemption in certain cases, was referred to judiciary committee.

H. B. to authorize commissioners of Chatham county to issue bonds was taken up, when

Mr. Womack moved to amend, authorizing commissioners to levy tax for payment of interest on said bonds, which was adopted, and bill passed second reading. Ayes 54; Noes 11.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Bryson, Cawthorn, Clinard, Copeland, Currie, Darden, Dickey, Drake, Dudley, Ellison, Fisher, Furr, Gambrel, Gore, Gullick, Grayson, Hill, Hinnant, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Maxwell, McAfee, McAllister, McCauley, Morris, Morgan of Wake, Nicholson, Paylor, Rankin, Regan, Robbins, Robinson, Shull, Smith of

Anson, Smith of Wayne, Stewart, Withers, Womack, Woodhouse and York—54.

Noes—Messrs. Brown, Bryant of Halifax, Bunn, Faulkner, Goodwin, Guyther, Hampton, Jones of Northampton, Loftin, Newsom, and Smith of Halifax—11.

Mr. Settle reported, by consent, from Committee on Claims, favorably on S. R. 316, in favor of W. P. Batchelor; S. R. No. 392, in favor of Alexander M. Turner, favorably.

The hour for consideration of special order having arrived, being a bill to allow consolidation of A. W. N. C. Railroad Company and N. C. Railroad Company, special order was postponed for report of a message which was received from the Senate transmitting for action of the House, S. B. 234, to repeal chapter 76, private laws of 1869–70; S. B. 200, to amend section 21 of an ordinance of Convention of 1865–66; S. B. 325, in relation to entries of land in Jackson county; S. B. 307, to incorporate Trustees of Augsburg Academy; and returning H. B. 32, with amendments, bill to prevent fishing in N. E. Branch of Cape Fear river; and H. B. 279, in relation to sale of spirituous liquors in Asheville, and asking concurrence of the House in the action of the same thereon; and amendments to H. B. in relation to taking fish in N. E. Branch of Cape Fear river were concurred in; and Senate amendments to bill in relation to sale of spirituous liquors in Asheville were concurred in.

The special order was then considered, when

Mr. Broadfoot moved to amend section 3 providing that the gauge of N. W. N. C. Railroad shall be the same as N. C. Railroad and shall not be changed, and that the right of way shall not be given to any other corporation. Adopted.

Mr. Luckey, to amend by inserting "or earnings" after the word "dividends" in first line of proviso. Adopted. And striking out the word "may" and insert "shall" in section 3. Amendment withdrawn.

Mr. Ashe moved to amend section 2, line 8, by striking out "by a majority vote."

Mr. Jones called ayes and noes on adoption. The call was sustained and amendment lost. Ayes 29; Noes 48.

Ayes—Messrs. Anderson, Ashe, Broadfoot, Bryson, Cawthorn, Currie, Dickey, Faulkner, Furr, Garrison, Grayson, Johnston of Buncombe, Joyner of Johnston, Jordan, Kelsey, Luckey, Maxwell, McAfee, McCauley, McNeill, Mills, Regan, Robinson, Smith of Anson, Smith of Wayne, Stewart, Strudwick and Woodhouse—28.

Noes—Messrs. Atwater, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Carson, Clinard, Copeland, Dudley, Ellison, Fisher, Fletcher, Gambrel, Gregory, Guyther, Hampton, Harris of Guilford, Hill, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Kelly of Davie, Lassiter, Loftin, Lyon, Marler, McAllister, Morgan of Wake, Mitchell, Newsom, Nicholson, Nisson, Phillips, Paylor, Rankin, Robbins, Settle, Shull, Smith of Halifax, Tucker, Tomlinson, Withers, Willis, Wilcox, Young of Wake and York—48.

Mr. Harris moved to reconsider the vote by which the amendment restricting the guage of the N. C. and W. N. C. Railroad was adopted,

When Mr. Robinson moved to adjourn.

Mr. Marler called the ayes and noes. The call was sustained and the House refused to adjourn. Ayes 42; Noes 43.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atkinson, Broadfoot, Bryant of Halifax, Bryson, Bunn, Buxton, Cawthorn, Currie, Darden, Dickey, Drake, Faulkner, Furr, Garrison, Gore, Houston, Hinnant, Johnston of Buncombe, Jones of Northampton, Jordan, Justice, Kelly of Davie, Kelsey, Lucas, Luckey, Maxwell, McAfee, McCauley, McNeill, Morgan of Wake, Mills, Page, Robinson, Smith of Anson, Smith of Halifax, Smith of Wayne, Stewart, Strudwick and Welch—42.

Noes—Messrs. Brooks, Brown, Bryan of Jones, Carson, Clinard, Copeland, Dudley, Ellison, Fisher, Fletcher, Gambrel, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Hill, Johnson of Edgecombe, Jones of Caldwell, Lassiter, Lyon, Marler, McAllister, Morris, Mitchell, Newsom, Nicholson,

Nisson, Phillips, Paylor, Rankin, Reid, Settle, Shull, Tucker, Waring, Withers, Willis, Wilcox, Womack, Woodhouse, Young of Wake and York—43.

Mr. Marler called the ayes and noes on motion to reconsider. The call was sustained and motion prevailed. Ayes 48; Noes 33.

Ayes—Messrs. Atwater, Brooks, Brown, Bryan of Jones, Bunn, Buxton, Carson, Clinard, Copeland, Dudley, Fisher, Gambrel, Garrison, Gore, Gregory, Guyther, Hampton, Harris of Guilford, Hill, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Kincade, Lassiter, Loftin, Lyon, Marler, McAllister, Morgan of Wake, Mitchell, Newsom, Nicholson, Nisson, Phillips, Paylor, Powell, Rankin, Settle, Shull, Smith of Halifax, Tucker, Tomlinson, Withers, Willis, Wilcox, Womack, Young of Wake and York—48.

Noes—Messrs. Anderson, Armstrong, Ashe, Atkinson, Broadfoot, Bryson, Cawthorn, Currie, Dickey, Drake, Faulkner, Fletcher, Furr, Grayson, Johnston of Buncombe, Joyner of Johnston, Jordan, Justice, Kelly of Davie, Kelsey, Lucas, Luckey, Maxwell, McAfee, McNeill, Page, Regan, Robinson, Smith of Wayne, Stewart, Strudwick, Welch and Woodhouse —33.

When on motion of Mr. Joyner, of Johnston, the House adjourned.

SATURDAY, February 25th, 1871.

The House was called to order at 10 A. M., Mr. Speaker Jarvis in the chair.

The journal of yesterday was read and approved.

A message was transmitted to the Senate asking concurrence in House amendments to S. R. No. 80, "of inquiry as to State's interest in Cape Fear Navigation Company;" also, H. B. 258, "to establish the county of Lee;" H. B. 153, "to establish the county of Pamlico; and amendments to S. B. No. 40, "to repeal certain parts of chap. 170, acts 1868–'69."

REPORTS OF COMMITTEES.

Mr. Brown, from committee on Agriculture reported favorably on H. B, 481, "to authorize the counties of the State to regulate the running at large of stock."

Mr. Clinard, from committee on Engrossed Bills, reported H. B. 145, "to amend charter of city of Newbern," &c.; H. B. 391, "making appropriation to Deaf, Dumb and Blind Asylum;" S. B. 41, "to repeal and amend sections of chap. 270, laws of 1868–'69;" and H. B. 469, "in relation to fishing in Pamlico, Tar and Tranter's creek," as correctly engrossed.

Mr. Currie, from committee on Corporations, reported favorably on S. B. 307, "to incorporate trustees of Augsburg Academy;" H. B. 454, "to incorporate Cabarrus Rocky River Bridge Company;" H. B. 477, "to incorporate South River Draining Company;" H. B. 434, "to authorize city of Wilmington to make fee simple conveyance of a certain lot;" S. B. 145, "to incorporate the Fayetteville Independent Bucket Company," and unfavorably on H. B. 307, "to incorporate a tram road from Enfield or other place, to Ransom's bridge, and thence to Louisburg."

Mr. McNeill, from committee on Propositions and Grievances, reported favarably on S. B. 170, "to prevent sale of

spirituous liquors near Antioch Church;" S. B. 234, "to repeal chap. 76, private laws of 1869–'70," and unfavorably on H. B. 472, "to protect dumb beast from inhuman treatment."

INTRODUCTION OF BILLS.

By Mr. Martin, a bill "to incorporate Newport Peabody Educational Association." Referred to committee on corporations.

By Mr. Copeland, a bill "to amend act in relation to taking fish in Tranter's creek." Referred to committee on propositions and grievances.

Mr. Welch, by consent, a resolution "authorizing Governor to employ additional legal assittance in 11th judicial district to State solicitor." Referred to judiciary committee.

Also, a resolution in favor of George W. Thompson, administrator of Peleg Rogers." Referred to committee on claims.

Leave of absence was granted Mr. Mills on account of sickness in family. Also to Mr. Buxton for one day.

On motion of Mr. Sparrow, report of State Geologist was ordered to be printed.

On motion of Mr. Robinson, H. B. creating the office of Assistant State Geologist was made the special order for Thursday next.

Leave of absence for one day was granted Mr. Powell.

The unfinished business being consideration of amendment "to consolidation of North Carolina and Western North Carolina Railroad," fixing guage of consolidated roads, was taken up and the amendment prevailed.

When Mr. Waring moved to reconsider the vote. Mr. Cawthorn moved to lay on the table. Withdrawn and motion to reconsider prevailed.

When Mr. Robinson, from Committee on Enrolled Bills reported "an act supplemental to act in relation to the fowling interests in Currituck;" "an act concerning debts contracted by municipal corporations;" "an act to repel section 5,

chapter 86, of the laws of 1856–'57;" "an act to establish the Whiteside Mountain Turnpike in Macon and Jackson;" "an act in relation to the sale of spirituous liquors in the town of Asheville, N. C;" "an act to incorporate the Roanoke and Tar River Railroad Company;" "an act to provide for levying of a special tax in the county of Bertie;" "an act to authorize the commissioners of Yancey county to levy a special tax;" "resolution in favor of F. F. Jones, sheriff of Tyrrell county," as correctly enrolled and they were ratified.

When, after discussion, the amendment prevailed under call for the ayes and noes. Ayes 45; Noes 48.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryant of Halifax, Bryson, Cawthorn, Currie, Darden, Dickey, Drake, Ellison, Faulkner, French, Furr, Garrison, Gullick, Grayson, Guyther, Harris of Franklin, Houston, Hinnant, Johnston of Buncombe, Joyner of Johnston, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lucas, Luckey, Mabson, Maxwell, McAfee, McCauley, McNeill, Morris, Page, Reid, Regan, Robinson, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Strudwick and Welch—45.

Noes—Messrs. Brooks, Brown, Bryan of Jones, Bunn, Carson, Chamberlain, Clinard, Copeland, Dudley, Fisher, Fletcher, Gambrel, Gore, Gregory, Hampton, Harris of Guilford, Hill, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Lassiter, Loftin, Lyon, Martin, Marler, McAllister, Morgan of Montgomery, Morgan of Wake, Mitchell, Newsom, Nicholson, Nisson, Phillips, Paylor, Rankin, Reavis, Robbins, Settle, Shull, Tucker, Tomlinson, Waring, Withers, Willis, Wilcox, Woodhouse, Young of Wake and York—48.

Mr. Luckey moved to amend "providing that the guage of the North Carolina Railroad, when consolidated, shall be the same for the entire length of both roads," which amendment was accepted,

When a message was received from the Senate, transmitting S. B. 141, a bill "to incorporate the Yanceyville, Danville &

Coalfield Railroad." Referred to committee on internal improvements.

S. B. 275, "to incorporate the town of Wilkesboro." Referred to committee on corporations.

S. R. 305, joint resolution "concerning a canal from the Waccamaw to Little river. Referred to committee on internal improvements.

H. B. 311, "to incorporate the Tomatla Iron Company." Referred to committee on corporations.

S. R. 380, resolutions "in favor of Burgess Montgomery." Referred to committee on claims.

S. B. 452, "to incorporate Petersburg, Clarksville, Roxboro' & Greensboro' Railroad Company." Referred to committee on internal improvements; and

S. B. 499, "in relation to copying the laws," and asking concurrence of the House in the same.

Mr. Brown, by consent, introduced a resolution regarding explanation of votes by members;" when

Mr. Ashe, a resolution "in favor of London Williams. Referred to committee on claims; and

On motion, the House adjourned.

MONDAY, February 27th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Dr. Atkinson, of the city.

The journal of Saturday was read and approved.

A message was sent to the Senate transmitting S. B. 41, "to repeal certain sections and amend others in chapter 270 of laws of 1868–'69;" H. B. 391, "making appropriation for Deaf, Dumb and Blind Asylum; H. B. 469, "an act in relation to fishing in waters of Pamlico and Tar rivers and Tranter's creek, and H. B. 145, "to amend charter of city of Newbern and Newbern Academy," and asking concurrence of the Senate in the passage thereof.

REPORTS OF COMMITTEE.

Mr. McNeill, from the Committee on Corporations, reported favorably on S. B. 311, "to incorporate the Tomatla Iron Company."

H. B. 487, "to incorporate Peabody Educational Association."

INTRODUCTION OF BILLS.

By Mr. Morris, a bill "to authorize commissioners of Henderson to levy a special tax." Referred to committee on counties and towns.

Mr. Loftin asked and obtained leave of absence for two days for Mr. French.

Also leave was extended for two days to Mr. Johns.

By Mr. Ashe, a bill "to amend an act to incorporate the Thalian Association of Wilmington." Referred to committee on corporations.

Mr. Luckey, from Committee on Insane Asylum, reported a substitute to bill "in reference to Insane Asylum."

When Mr. Brown moved to make unfinished business the special order for Wednesday. Withdrawn.

And the unfinished business was taken up.

When Mr. Ellison moved to reconsider the vote by which amendment of Mr. Broadfoot to the bill was adopted.

Mr. Cawthorn moved to lay on the table, under call of the ayes and noes, and motion lost. Ayes 35; Noes 50.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Broodfoot, Bryant of Halifax, Bryson, Cawthorn, Currie, Darden, Dickey, Drake, Faulkner, Furr, Garrison, Guyther, Harris of Franklin, Johnston of Buncombe, Jones of Northampton, Jordan, Justice, Kelsey, Kincade, Lucas, Mabson, Maxwell, McAfee, McCauley, Morris, Morgan of Montgomery, Robinson, Smith of Anson, Smith of Wayne, Stewart, Welch and Woodhouse—35.

Noes—Messrs. Brooks, Brown, Bryan of Jones, Bunn, Carson, Chamberlain, Clinard, Copeland, Dudley, Ellison, Fisher, Fletcher, Gambrel, Gore, Grayson, Gregory, Hampton, Hargrove, Houston, Hill, Johnson of Edgecombe, Jones of Caldwell, Kelly of Davie, Lassiter, Loftin, Luckey, Lyon, Martin, Marler, McAllister, Morgan of Wake, Mitchell, Newsom, Nicholson, Nisson, Page, Paylor, Rankin, Reavis, Reid, Robbins, Scott, Shull, Sykes, Tucker, Waring Wilcox, Womack, Young of Wake and York—50.

Mr. Brown renewed his motion to postpone. Withdrawn.

When Mr. Houston renewed the motion to postpone the motion to reconsider till Thursday next at 12 m.

Mr. Marler moved to amend by inserting "Wednesday" instead of "Thursday," and motion did not prevail.

When Mr. Shull called ayes and noes on motion to reconsider.

Call not sustained, and motion to reconsider prevailed.

When on motion of Mr. Brown the amendment was made special order for Thursday at 12 o'clock.

Mr. McCauley from Committee on Counties, Towns, &c., reported favorably on bill "to change the line of Nash and Edgecombe," with reasons for action of the Committee.

Mr. Ashe moved to suspend the rules to take up a resolution. Withdrawn.

When Mr. Justice, by consent, reported from Select Committee on bill, "in relation to salaries of county officers,"

When Mr. Robinson moved to suspend the rules to take up bill "to change line between Nash and Edgecombe." Lost for want of a quorum.

Mr. Robinson renewed his motion, and called the ayes and noes, and the rules were suspended. Ayes 50; Noes 24.

Ayes—Messrs. Anderson, Armstrong, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryson, Carson, Clinard, Dickey, Drake, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Hampton, Hill, Johnston of Buncombe, Jones of Northampton, Jordan, Kelsey, Lassiter, Lucas, Luckey, Mar-

tin, Marler, Maxwell, McAfee, McAllister, McCauley, Nicholson, Phillips, Paylor, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Stewart, Welch, Womack, Woodhouse and Young of Wake—50.

Noes—Messrs. Bryant of Halifax, Bryan of Jones, Copeland, Dudley, Faulkner, Fisher, Fletcher, Goodwyn, Guyther, Hargrove, Johnson of Edgecombe, Lottin, Lyon, Mabson, Morris, Morgan of Montgomery, Newson, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker and Willis—24.

Amendments reported by the committee were adopted,

When Mr. Johnson, of Edgecombe, moved a substitute, "annexing part of Nash to Edgecombe."

Mr. Cawthorn moved to recommit bill and substitute to committee on counties, towns, &c., and motion did not prevail, and substitute was not adopted.

Mr. Page moved to amend "providing that the qualified voters of the territory to be changed to ratify the act," and called the ayes and noes. The call was sustained, and proviso adopted. Ayes 39; Noes 34.

Ayes—Messrs. Brown, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Chamberlain, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, Gambrel, Garrison, Goodwyn, Grayson, Guyther, Hampton, Hargrove, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Page, Paylor, Reavis, Robbins, Smith of Halifax, Tucker, Willis, Woodhouse, Young of Wake and York—39.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Carson, Currie, Drake, Furr, Gore, Houston, Hill, Kelly of Davie, Kelsey, Lucas, Luckey, Martin, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Reid, Regan, Robinson, Smith of Anson, Smith of Wayne, Stewart, Strudwick, Waring and Welch—34.

Mr. Ashe moved to amend fixing the line "60 feet west of center of the railroad."

Mr. Brown moved to lay on the table the bill, and called

the ayes and noes. The call was sustained and motion was lost. Ayes 30; Noes 42.

Ayes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Copeland, Dudley, Faulkner, Fisher, Fletcher, Gambrel, Garrison, Goodwin, Guyther, Hargrove, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Mabson, McAfee, Morris, Morgan of Montgomery, Newsom, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker, Willis and Young of Wake—30.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Cawthorn, Carson, Chamberlain, Clinard, Currie, Dickey, Drake, Gore, Gullick, Grayson, Houston, Hill, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Reid, Regan, Robinson, Shull, Smith of Anson, Stewart, Strudwick, Welch, Womack and Woodhouse —42.

When Mr. Robinson, from Committee on Enrolled Bills, reported as correctly enrolled, "an act in relation to taking fish in Northeast branch of Cape Fear river;" "an act to incorporate Clay Lodge, A. Y. M;" "an act to punish officers and agents of railroad companies for embezzelment," &c; "an act to incorporate the Wilmington Steam Fire Engine Company," (amendatory,) and "an act to amend section 3, of chapter 122, private laws of 1869–'70," and they were ratified by the Speaker.

The amendment of Mr. Ashe was adopted, when the bill failed to pass for want of a quorum.

Mr. Welch renewed the motion to pass the bill, and called the ayes and noes. The call was sustained and bill passed. Ayes 53; Noes 21.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Brown, Bryant of Jones, Bryson, Cawthorn, Carson, Chamberlain, Clinard, Copeland, Currie, Darden, Drake, Fletcher, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hill, Johnston of Buncombe, Kelly of Davie, Kelsey,

Kincade, Lassiter, Lucas, Luckey, Martin, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Page, Paylor, Reid, Regan, Robinson, Shull, Smith of Wayne, Stewart, Strudwick, Waring, Welch, Womack, and Woodhouse —53.

Noes—Messrs. Bryant of Halifax, Bunn, Dudley, Faulkner, Fisher, Garrison, Goodwyn, Guyther, Hargrove, Johnson of Edgecombe, Loftin, Lyon, Mabson, Newsom, Nisson, Reavis, Robbins, Smith of Halifax, Sykes, Willis and Young of Wake —21.

When on motion of Mr. Page, the vote was reconsidered and motion laid on the table.

A message was received from the Senate, transmitting S. B. 290, "to incorporate Perquimans Savings Bank. Referred to committee on corporations.

S. B. 482, "in relation to duties of Keeper of the Capitol." Referred to judiciary committee; and

S. R. No. 433, "in favor of Jefferson Hinton." Referred to committee on claims, and asking concurrence in the same.

Also, that the Senate concurred in House amendments to bill "repealing or amending sections of chapter 270, laws of 1868–'69.

Mr. Robinson in the chair,

When Mr. McAfee moved that the Speaker be allowed discretion to take up the calendar.

Mr. Marler moved to amend by adding "in the order in which the calendar is numbered." Withdrawn, and the motion adopted.

When, by consent, Mr. Bryson introduced a bill "supplemental to an act to lay off the county of Swain." Referred to judiciary committee.

Mr. Marler "introduced a resolution of instructions to finance committee." Placed on calendar.

H. R. 223, "in regard to stationery," was taken up and adopted.

S. R. "in favor of Alexander M. Turner," was taken up and passed second reading; and

Mr. Carson moved to postpone further consideration till to-morrow at 12 m., and motion prevailed.

S. B. on second reading, "to incorporate Elmwood Lodge, F. A. M.," was taken up and passed second and third readings and ordered engrossed.

S. B. on third reading, "to amend the charter of City of Charlotte," was taken up, and

Mr. Page moved to strike out so much of the bill as refers to the poll tax; withdrawn, and the bill passed third reading. Ayes 57; Noes 8.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Brown, Bryan of Jones, Bunn, Carson, Clinard, Copeland, Currie, Darden, Dickey, Drake, Dudley, Furr, Gambrel, Gore, Gullick, Grayson, Harris of Franklin, Hargrove, Houston, Hill, Kincade, Lassiter, Loftin, Lucas, Luckey, Lyon, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, Morris, Morgan of Montgomery, Mitchell, Newsom, Nicholson, Nisson, Phillips, Paylor, Rankin, Reid, Regan, Robinson, Shull, Smith of Wayne, Stewart, Waring, Willis, Womack, Woodhouse and York—57.

Noes—Messrs. Chamberlain, Faulkner, Fletcher, Hampton, Jones of Northampton, Page, Smith of Halifax and Sykes—8.

S. B. "to secure proper jurisdiction of Superior Courts in certain cases," was taken up, and

On motion of Mr. Jordan, it was recommitted to judiciary committee.

H. R. "in favor of night sessions was taken up, when

Mr. Martin moved to lay on the table.

Mr. York called the ayes and noes. The call was sustained and resolution tabled. Ayes 39; Noes 37.

Ayes—Messrs. Ashe, Bryant of Halifax, Bryan of Jones, Bunn, Currie, Dickey, Dudley, Ellison, Faulkner, Fisher, Fletcher, Furr, Garrison, Grayson, Harris of Franklin, Jones of Northampton, Jordan, Justice, Kelly of Davie, Loftin, Lucas,

Luckey, Lyon, Martin, Mabson, McAfee, Morris, Morgan of Montgomery, Newsom, Nisson, Phillips, Reavis, Regan, Robbins, Smith of Halifax, Smith of Wayne, Sykes and Tucker—39.

Noes—Messrs, Anderson, Armstrong, Atwater, Brooks, Bryson, Cawthorn, Chamberlain, Clinard, Copeland, Darden, Gambrel, Gore, Gullick, Hampton, Houston, Hill, Johnson of Edgecombe, Kincade, Lassiter, Marler, Maxwell, McAllister, McCauley, Mitchell, Nicholson, Page, Paylor, Rankin, Robinson, Shull, Smith of Anson, Stewart, Waring, Willis, Womack, Woodhouse and York—37.

H. R. " in favor of A. S. Hill, was taken up and passed second and third readings and ordered engrossed.

Mr. Page moved to adjourn.

Mr. Morris called the ayes and noes. Motion withdrawn.

H. B. to appoint a tax collector for Gaston county was taken up, and passed second and third readings and ordered engrossed.

Mr. Johnson, of Edgecombe, moved to adjourn. Withdrawn.

H. B., on second reading, bill to incorporate Stock Raising and Fishing Company of North Carolina, was taken up.

Mr. Phillips moved to lay the bill on the table, and motion prevailed.

H. R. 204, concerning the calendar was taken up, when

Mr. Houston moved to lay on the table, and motion prevailed.

H. R. 194, resolution in favor of John L. Wood, sheriff of Pasquotank, was taken up, and bill reported as substitute by committee on Propositions and Grievances adopted, and passed second and third readings and ordered engrossed.

H. B. 103, to change the time for settling taxes was taken up, and amendments reported by Finance Committee were adopted.

Mr. Jones moved to make bill special order for to-morrow at 10 o'clock. Motion was lost.

Mr. Tucker moved to adjourn.

Mr. Martin called the ayes noes, and motion was withdrawn, when

Mr. Ashe moved to amend amendment, which was adopted, and bill passed second and third readings and ordered engrossed, when

On motion of Mr. Loftin, the House adjourned.

TUESDAY, February 28th, 1870.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Grayson, of the House.

The journal of yesterday was read and approved.

Leave of absence was granted Mr. McAfee on account of death in family.

MEMORIALS AND PETITIONS.

By Mr. Fisher, a petition from citizens of Bladen regarding change of county line. Referred to committee on counties, towns, &c.

REPORTS OF COMMITTEES.

Mr. Currie, from committee on Corporations, reported unfavorably on S. B. No. 3, "in relation to Elizabeth City," and favorably on H. B. 486, "in relation to taking fish in Neuse river," &c.

Mr. Strudwick, from Committee on Finance, presented majority and minority reports of committee on "resolution in favor of M. A. Bledsoe."

Mr. Welch, from Committee on Internal Improvents, reported favorably on bill "to construct a Railroad from Kenansville to Clinton, in Sampson," and bill to "fix the capital stock of Fairfield Canal and Turnpike Company."

Mr. Jordan, from Judiciary Committee, reported favorably on S. B. 202, to amend section 47, chapter 93, laws of 1868–'69; H. B. No. 476, "to amend the Code of Civil Procedure;" S. B. 35, "requiring sheriffs and coroners to give notice of process for collection of money;" H. B. 471, to amend chapter 2, title XI, Code of Civil Procedure;" H. B. 442, to establish and enforce an agricultural lien;" S. B. 99, "to amend chapter 160, laws of 1868–'69;" S. B. No. 20, "to amend chapter 60, section 53, Revised Code;" and asking reference to Finance Committee of H. B. 435, "to ascertain the legal debt of the State," so referred; asking reference to committee on Claims of resolution "in favor of G. W. & B. K. Dickey;" unfavorably on H. B. 479, to repeal chapter 50, of public laws of 1867, concerning right of dower to married women.

Mr. Johnston, of Buncombe, from Judiciary Committee, reported an amendment to H. B. 495, "supplemental to act to lay off and establish the county of Swain."

RESOLUTIONS.

By Mr. Atwater. A resolution in favor of "R. S. Pullen, Executor of Penelope Smith, deceased. Referred to committee on claims.

By Mr. Dickey. "A bill to incorporate the town of Murphy."

By Mr. Anderson. "A bill to forbid the sale of spirituous liquors near Fort Hamburg Academy in Clay." Placed on the calendar.

By Mr. Ashe. "A bill to amend chapter 190, of laws of 1868–'69." Referred to judiciary committee.

By Mr. Justice. "A resolution requesting Speaker to furnish certain information." Information was given.

By Mr. Houston. A bill "to enable administrators and executors to issue executions in their own names in certain cases." Referred to judiciary committee.

By Mr. Gregory. A bill to interpret sec. 55, of the Code of Civil Procedure." Referred to judiciary committee.

By same. A bill "to amend Title IX, Chap. II of Code of Civil Procedure." Referred to judiciary committee.

By same. A bill "to authorize commissioners of Scotland Neck to collect arrears of taxes." Referred to committee on counties, towns, &c.

CALENDAR.

H. B. on second reading, a bill "to encourage immigration," was taken up and passed second and third readings and ordered engrossed.

H. R. on second reading, amendatory of sec. 2 of resolution in favor of disabled soldiers," was taken up and passed second and third readings and ordered engrossed.

When Mr. Welch, by consent, introduced a resolution in favor of A. S. Kerr. Referred to committee on claims.

H. R. on second reading, "in favor of John Crisp," was taken up and passed second and third readings and ordered engrossed.

H. B., on second reading, "to incorporate South River Draining Company," was taken up and passed second and third readings and ordered engrossed.

S. R. on second reading, "in favor of R. S. Tucker," was taken up, when

Mr. Stanford called the ayes and noes on its second reading. The call was sustained and resolution failed. Ayes 9; Noes 69.

AYES—Messrs. Gore, Jones of Caldwell, Jones of Northampton, Jordan, Phillips, Scott, Strudwick, Sykes and Womack—9.

NOES—Messrs. Anderson, Armstrong, Ashe, Brown, Bryan of Jones, Cawthorn, Copeland, Crawford, Currie, Darden, Dickey, Drake, Dudley, Ellison, Faulkner, Fletcher, Furr, Gambrel, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe,

Joyner of Johnston. Joyner of Pitt, Justice, Kelly of Davie, Kelsey, Kincade, Loftin, Luckey, Lyon, Marler, Maxwell, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Mitchell, Newsom, Nicholson, Nisson, Page, Paylor, Powell, Rankin, Regan Robbins, Robinson, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Tucker, Waring, Willis, Woodhouse, Williamson and York—69.

Mr. Ashe moved to reconsider the vote.

Mr. Waring moved to lay the motion on the table.

Mr. Strudwick called the ayes and noes. The call was sustained and motion to table lost. Ayes 35; Noes 49.

Ayes—Messrs. Brown, Bryan of Jones, Cawthorn, Chamberlain, Copeland, Darden, Dudley, Faulkner, Fletcher, Gambrel, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Joyner of Johnston, Justice, Kincade, Loftin, Luckey, Lyon, Marler, McCauley, Morgan of Montgomery, Newsom, Nisson, Regan, Robbins, Stanford, Waring, Woodhouse and Williamson—35.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bunn, Buxton, Carson, Crawford, Currie, Dickey, Dunham, Ellison, Fisher, Furr, Gore, Gregory, Harris of Franklin, Henderson, Hill, Jones of Caldwell, Joyner of Pitt, Jordan, Lassiter, Mabson, Maxwell, McAllister, McNeill, Morris, Morgan of Wake, Mitchell, Nicholson, Page, Phillips, Paylor, Powell, Reid, Robinson, Scott, Smith of Anson, Smith of Halifax, Smith of Wayne, Stewart, Strudwick, Sykes, Welch, Willis, Womack, Young of Wake and York—49.

When the motion to reconsider prevailed; and

On motion of Mr. Hargrove, the resolution was committed to Committee on Finance.

Mr. Phillips moved to suspend the rules and recommit the resolution in favor of M. A. Bledsoe to Committee on Finance, and motion prevailed.

Mr. Ashe, by consent, introduced a bill "to incorporate Wilmington and Charlotte Steamship Company, and for other purposes. Referred to committee on corporations.

Leave of absence for one day was granted Mr. Chamberlain.

S. B. on 3d reading, "to correct mistakes in jurisdiction in certain cases," was taken up and passed and ordered enrolled.

H. B. on 3d reading, "to authorize commissioners of Chatham county to issue bonds," was taken up,

When Mr. Womack moved to amend by inserting "6, p. c." instead of 8, and 12,000 instead of 8,000. Amendments adopted, and bill passed 3d reading. Ayes 55; Noes 18.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Bryan of Jones, Bryson, Chamberlain, Clinard, Currie, Darden, Dickey, Drake, Fisher, Furr, Gore, Gullick, Grayson, Harris of Guilford, Hardy, Henderson, Houston, Hill, Joyner of Johnston, Joyner of Pitt, Jordan, Kelsey, Kincade, Lassiter, Martin, Maxwell, McAllister, McCauley, Morris, Morgan of Montgomery, Nicholson, Nisson, Page, Paylor, Powell, Rankin, Reid, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Strudwick, Tomlinson, Waring, Womack, Woodhouse and York—55.

Noes—Messrs. Brown, Bunn, Cawthorn, Dudley, Faulkner, Goodwyn, Guyther, Johnson of Edgecombe, Justice, Loftin, Mabson, Marler, Newsom, Robbins, Sykes, Willis, Williamson and Young of Wake—18.

H. B. on 2nd reading, "to authorize C. Austin to collect arrears of taxes," was taken up and passed 2nd and 3d readings, and ordered engrossed.

S. B. on 2nd reading, "to incorporate Fayetteville Bucket Company," was taken up and passed 2nd reading and ordered engrossed.

H. B. on 2nd reading, "to repeal chap. 260 of laws of 1868–'69" was taken up, and on motion of Mr. Justice, referred to judiciary committee.

H. R. on 2nd reading, "to raise commission to investigate acts of Public Treasurer," was taken up and passed.

S. B. on 2nd reading, "to incorporate the town of Lincolnton," was taken up and passed 2nd and 3rd readings and ordered enrolled.

Mr. Strudwick in the chair.

Resolution "in favor of B. W. Parton, of Haywood," and amendments offered by Committee on Proposition, and Grievances adopted, and bill passed 2nd and 3rd readings and ordered engrossed.

S. B. "to prevent the sale of spirituous liquors near Antioch Church in Robeson," was taken up and passed 2nd and 3rd readings and ordered enrolled.

S. B. 188, "in regard to Roderick McMillian," was taken up, and Senate amendments were concurred in.

H. R., "in relation to entries of vacant lands," was taken up and passed 2nd and 3rd readings and ordered enrolled.

H. B. on 2nd reading, "to secure a lein to Mechanics and Laborers" was taken up, and Mr. Tomlinson moved to amend by striking out 30 days and insert 60 days wherever it occurs.

When Mr. Luckey moved to make the bill special order for Tuesday at 12 o'clock, and to print, and motion prevailed.

H. B. 396, "a bill to repeal certain ordinances of the Convention," was taken up, amendments reported by committee were concurred in, when

Mr. Phillips moved to replace bill on the calendar.

Mr. Ashe to amend, by making bill special order for to-morrow week at 11 o'clock, and to print; and motion prevailed.

H. B. on second reading, "to have the public road worked by taxation," was taken up, when

Mr. Page offered a substitute; which was read and referred to committee on judiciary, with permission to print report.

H. R. on third reading, "in favor of Alexander M. Turner, was taken up.

Mr. Anderson moved to refer to judiciary committee. Motion withdrawn, and resolution passed third reading, and ordered enrolled.

When the chair announced a message from the Senate, transmitting a bill "to appoint an inspector and weigher for city of Raleigh."

The managers of impeachment, as usual, retired at 11 o'clock, a. m.

Mr. Robinson, from Committee on Enrolled Bills, reported "an act to amend the charter of the city of Charlotte;" "an act to repeal certain parts of chapter 170, acts of 1868–'69," as correctly enrolled, and they were ratified.

On motion, the House adjourned.

WEDNESDAY, March 1st, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Dr. Mason.

The journal of yesterday was read and approved.

A message was sent to the Senate transmitting S. B. No. 35, to change the line between Nash and Edgecombe counties, and asking concurrence in passage of House amendments.

MEMORIALS, &c.

By Mr. Speaker, a memorial from citizens of Murfreesboro', to prohibit the sale of spirituous liquors near schools in said town. Referred to committee on propositions and grievances.

REPORTS OF COMMITTEES.

Mr. McCauley, from Committee on Counties, Towns, &c., reported favorably on bill to incorporate the town of Wilkesboro'; H. B. 502, to authorize commissioners of Scotland Neck to collect arrears of taxes, with amendments; and an act to incorporate the town of Murphy, and asking reference to Educational committee of H. B. 496, to authorize Commissioners of Henderson county to levy a special tax, and to be discharged from further consideration of petition from citizens of Bladen.

Mr. Henderson, from Committee on Corporations, reported

favorably on S. B. 290, to incorporate "The Perquimans Savings Bank in the town of Hertford."

Mr. Shull, from Joint Committee on Public Buildings, Grounds, &c., reported that some necessary work should be done on the roof of the capitol.

Mr. Crawford, from Committee on Engrossed Bills, reported an act to incorporate South River Draining Company; a bill to change the time for settling public taxes; a bill to provide for election of a tax collector in Gaston county; resolution amendatory of section 2 of resolution in reference to disabled soldiers, ratified March 1st, 1867; H. R. 109, in favor of B. W. Parton, of Haywood; H. B. 422, to authorize C. Austin, to collect arrears of taxes; and bill to authorize issue of bonds in Chatham county, as correctly engrossed.

BILLS.

By Mr. Welch, a bill in relation to Waynesville Female Academy. Referred to committee on corporations.

By the same; a bill to incorporate the Waynesville Association. Referred to same committee.

CALENDAR.

H. B. on second reading, in favor of J. Cline, sheriff of Catawba, was taken up and passed second and third readings and ordered engrossed.

H. B. on second reading, to forbid the sale of spirituous liquors near Fort Hambrie Academy in Clay, was taken up and passed second and third readings and ordered engrossed.

H. B. on second reading, to incorporate the Georgia and North Carolina Railroad Company, was taken up and passed second and third readings and ordered engrossed.

Mr. Shull, by consent, introduced a bill to amend the charter of Caldwell and Watauga Turnpike Company.

Leave of absence for Mr. Paylor, was granted indefinitely

from to-morrow, on account of sickness in family. Also Mr. Newsom for one day.

H. B. on second reading, to incorporate Rocky River Bridge Company in Cabarrus, was taken up and passed second and third readings and ordered engrossed.

H. B.,-on second reading, an act to incorporate Co-operative Savings and Loan Association, was taken up and passed second and third readings and ordered engrossed.

H. B. to provide for another mode of taking depositions in courts of the State, was taken up and passed second and third readings and ordered engrossed.

H. B. on second reading, regulating appointment of guardians *ad litum*, was taken up, and

Mr. Marler moved to postpone indefinitely; withdrawn and moved to recommit to judiciary committee. Motion prevailed; and,

On motion of Mr. Waring, ordered to be printed.

H. B. on third reading, to allow commissioners of Currituck to levy a special tax, was taken up.

Amended on motion of Mr. McNeill, and passed. Ayes 47; Noes 31.

Ayes—Messrs. Armstrong, Atwater, Bryson, Buxton, Carson, Clinard, Copeland, Darden, Drake, Gambrel, Garrison, Gore, Gullick, Grayson, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Kelly of Davie, Kelsey, Kincade, Lassiter, McCauley, Morris, Nicholson, Phillips, Paylor, Rankin, Reid, Robbins, Robinson, Scott, Shull, Stanford, Stewart, Tucker, Waring, Withers, Willis, Wilcox, Woodhouse, Young of Wake and York—47.

Noes—Messrs. Ashe, Brooks, Brown, Bunn, Crawford, Dickey, Dudley, Ellison, Faulkner, Fisher, Fletcher, Guyther, Hampton, Kinnant, Johnson of Edgecombe, Joyner of Johnston, Joyner of Pitt, Justice, Luckey, Marler, Maxwell, McNeill, Morgan of Montgomery, Mitchell, Page, Powell, Regan, Smith

of Anson, Smith of Halifax, Smith of Wayne and Williamson —31.

S. B. on second reading, to incorporate the town of Wilkesboro', was taken up and passed second and third readings and ordered enrolled.

When Mr. Waring, by consent, introduced a resolution asking information from Public Treasurer, which was considered and passed.

When Mr. Robinson, from Committee on Enrolled Bills, reported the following bills as correctly enrolled:

An act in regard to Roderick McMillan, sheriff of Robeson:

An act to cure certain irregular proceeding in jurisdiction of Special Courts;

An act to encourage immigration and increase the capital of the State;

An act to incorporate Fayetteville Independent Bucket Company;

An act to repeal certain sections and amend others in chap. 270, laws of 1868–'69.

A act to extend the time for making settlement with County Treasurer to J. M. Roan, sheriff of Macon;

Resolution of inquiry into State's interest in Cape Fear Navigation Company; and

Resolution in favor of Alexander M. Turner.

And the same were ratified.

CALENDAR RESUMED.

H. B. on second reading, to prevent the sale of spirituous liquors near Montpelier Church, &c., was taken up and substitute reported by committee adopted, and passed second and third readings, and ordered engrossed.

H. B. on second reading, an act for the better government of the Insane Asylum, was taken up, and on motion, referred to committee on Insane Asylum.

S. B. on second reading, to repeal an act, No. 76, of private laws of 1869–'70, was taken up and passed second and third readings and ordered enrolled.

S. B. on second reading, an act in relation to election of municipal officers in Elizabeth City, was taken up and, on motion of Mr. Page, was indefinitely postponed.

S. B. on second reading, to amend chapter 60, section 53, of Revised Code, was taken up and passed over for the present; afterwards taken up and, on motion of Mr. Withers, laid on the table.

A message was announced from the Senate transmitting S. B. to authorize Commissioners of Guilford to issue bonds for purpose of funding county debt. Referred to committee on propositions and grievances.

Resolution in favor of M. L. Wiggins. Referred to committee on claims.

H. B. to incorporate the Nevasa Guano Company of Wilmington, was taken up and passed second and third readings and ordered engrossed.

H. B. on second reading, to establish and enforce an agricultural lien, was taken up, when on motion of Mr. Ashe, it was ordered to be printed.

S. B. on second reading, requiring sheriffs and coroners to give notice of process in certain cases, was taken up and passed second reading.

When, by consent, Mr. Brown introduced a bill concerning Superior Courts of the State. Referred to committee on judiciary.

S. B. on second reading, to charter the Citizens' Bank in Greensboro', was taken up and passed second and third readings and ordered enrolled.

S. B. on third reading, concerning elections in the State, was taken up and substitute reported by the committee adopted, when Mr. Page moved to postpone indefinitely.

Mr. Dunham called the ayes and noes. The call was sustained and motion lost. Ayes 30; Noes 57.

Ayes—Messrs. Bryant of Halifax, Bryan of Jones, Bryson, Carson, Copeland, Dudley, Ellison, Faulkner, Fletcher, Gatling, Goodwin, Guyther, Harris of Franklin, Hargrove, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Robbins, Smith of Halifax, Willis, Williamson and Young of Wake—30.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Cawthorn, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Hardy, Henderson, Houston, Hill, Hinnant, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Nicholson, Paylor, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tomlinson, Waring, Withers, Wilcox, Womack and Woodhouse—57.

When, on motion of Mr. Withers, the vote was reconsidered by which the substitute was adopted, and motion prevailed.

Mr. Phillips called the ayes and noes on adoption of the substitute. The call was sustained and substitute not adopted. Ayes 45; Noes 47.

Ayes—Messrs. Anderson, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Cawthorn, Carson, Copeland, Darden, Dickey, Dudley, Ellison, Fletcher, Garrison, Gatling, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Martin, Mabson, Marler, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Robinson, Smith of Halifax, Tucker, Womack, Williamson and Young of Wake—45.

Noes—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Gregory, Houston, Hill, Hinnant, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Maxwell, McAllister, Mc-

Neill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Scott, Settle, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tomlinson, Waring, Withers, Wilcox and York —47.

When Mr. Page moved to strike out second section, and called the ayes noes. The call was sustained and motion lost. Ayes 39; Noes 55.

Ayes—Messrs. Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Cawthorn, Carson, Copeland, Dickey, Dudley, Ellison, Faulkner, Fletcher, Garrison, Goodwyn, Guyther, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—39.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Mitchell, Nicholson, Rankin, Reid, Regan, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Waring, Withers, Wilcox, Woodhouse and York—55.

Mr. Dunham called the previous question, and bill passed third reading under call for the ayes and noes. Ayes 57; Noes 42.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Books, Broadfoot, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Rankin, Reid, Regan, Scott, Settle, Smith of Anson,

Smith of Wayne, Stanford, Stewart, Tomlinson, Waring, Withers, Wilcox, Womack, Woodhouse and York—57.

Noes—Messrs. Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Carson, Copeland, Darden, Dudley, Ellison, Faulkner, Fletcher, Garrison, Gatling, Goodwyn, Guyther, Hampton, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Martin, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Robinson, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—42.

Mr. Cawthorn being excused from voting.

Mr. Ashe, by consent, reported from Finance Committee favorably on bill to protect interest of the State in sale under execution.

H. B. on second reading, to incorporate Trustees of Little River Academy, was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Waring, the vote by which bill regarding elections in the State, passed third reading, was reconsidered and motion laid on the table.

H. B. on third reading, a bill to protect interest of the State at sales under execution was taken up, and passed second and third readings, and vote reconsidered and bill ordered engrossed.

H. B., in relation to suits where a sheriff is a party, was taken up and passed second and third readings and ordered engrossed.

H. B. on second reading, to incorporate the Peabody Educational Association in Carteret county, was taken up and passed second and third readings and ordered engrossed.

Mr. Jones, of Caldwell, by consent, introduced a bill to appoint a Board of Commissioners in Caldwell county, to assess damages, &c. On calendar.

H. B. on second reading, a bill to establish a Turnpike road from Statesville to Mt. Airy, was taken up and amendment

reported by Committee adopted, and on motion referred to Judiciary Committee.

When a resolution in regard to explanation of votes by members was taken up.

Mr. Cawthorn moved to lay on the table, and called the ayes and noes, and motion failed. Ayes 29; Noes 48.

AYES—Messrs. Bryant of Halifax, Bryson, Bunn, Currie, Dudley, Faulkner, Fletcher, Goodwyn, Gore, Hargrove, Hardy, Jones of Caldwell, Jordan, Lassiter, Lyon, Martin, Maxwell, McAllister, Morris, Morgan of Wake, Page, Paylor, Powell, Rankin, Reavis, Regan, Sykes, Tomlinson and Willis—29.

NOES—Messrs. Armstrong, Atwater, Brown, Cawthorn, Clinard, Copeland, Darden, Dickey, Drake, Fisher, Furr, Gambrel, Garrison, Grayson, Guyther, Hampton, Hill, Hinnant, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelsey, Kincade, Loftin, Luckey, Marler, McCauley, McNeill, Morgan of Montgomery, Mitchell, Newsom, Nicholson, Phillips, Reid, Robbins, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Waring, Withers, Wilcox, Womack, Williamson, Young of Wake and York—48.

Mr. Page moved to postpone indefinitely.

When Mr. Brown called the previous question, and motion to postpone indefinitely did not prevail.

Mr. Page called the ayes and noes on passage of the resolution, the call was sustained, and the vote stood ayes 56, noes 36.

AYES—Messrs. Armstrong, Atwater, Brooks, Brown, Bryson, Carson, Clinard, Currie, Darden, Dickey, Drake, Faulkner, Fisher, Fletcher, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Guyther, Hampton, Henderson, Hill, Hinnant, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kincade, Lassiter, Loftin, Lucas, Luckey, Marler, McCauley, Morris, Mitchell, Nicholson, Phillips, Powell, Reid, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tucker, Tomlinson, Waring, Womack, Woodhouse, Williamson and York—56.

NOES—Messrs. Ashe, Bunn, Buxton, Cawthorn, Copeland,

Crawford, Dudley, Ellison, Furr, Goodwin, Hargrove, Hardy, Houston, Johnson of Edgecombe, Jones of Caldwell, Jordan, Justice, Kelsey, Lyon, Martin, Maxwell, McAllister, McNeill, Morgan of Wake, Newsom, Nisson, Page, Paylor, Rankin, Reavis, Regan, Robbins, Smith of Halifax, Sykes, Withers and Willis—36.

And the Speaker withheld his decision, by consent of the House, whether it required a two-thirds vote to adopt the resolution.

And on motion, the House adjourned.

THURSDAY, March 2d, 1871.

The House met at 10 A. M., Mr. Phillips in the chair.

Prayer by Rev. Mr. Grayson of the House.

The journal of yesterday was read and approved.

A message was sent transmitting to the Senate, H. B. 433, to incorporate Elmwood Lodge of A. Y. Masons; H. R. 110, in favor of John Crisp, of Macon county; H. B. 493, to authorize John L. Wood, sheriff of Pasquotank, to collect arrears of taxes; H. B. 439, in favor of A. S. Hill, sheriff of Cherokee; H. B. 422, to authorize C. Austin, sheriff of Union, to collect arrears of taxes; H. R. 109, in favor of B. W. Parton, of Haywood county; H. R. 114, amendatory of section 2 of resolution in reference to disabled soldiers; H. B. 326, to provide for election of a tax collector in Gaston county; H. B. 103, to change the time for settling public taxes; And H. B. 477, to incorporate the South River Draining Company, and asking concurrence of the Senate in the passage of the same.

Also, a message transmitting H. B. 480, a bill to protect the interest of the State at sales under execution; H. B. 408, an act to incorporate Trustees of Little River Academy in Cumberland; H. B. 487, to incorporate the Peabody Educational Association in Carteret; H. B. 369, an act in favor of J. Cline,

sheriff of Catawba county; H. B. 141, an act to provide another mode of taking depositions; H. B. 454, to incorporate Rocky River Bridge Company; H. B. 399, an act in relation to process when a sheriff is a party; H. B. 410, to incorporate Co-operative Savings Association; H. B. 512, an act to prevent the sale of spirituous liquors near Montpelier church and Hallsville; H. B. 503, to prevent the sale of spirituous liquors near Fort Hambrin Academy, in Clay county; H. B. 414, to incorporate the Nevassa Guano Company of Wilmington; H. B. 262, to authorize levy of a special tax in Currituck.

The chair announced that resolution in regard to explanation of votes did not pass, a two-thirds vote being required.

REPORTS OF COMMITTEES.

Mr. Jordan, from Committee on Judiciary, reported favorably on H. B. 137, an act to repeal sec. 16, chap. 137, of laws of 1868–'69; H. B. 508, substitute for H. B. 227; H. B. 448, to provide for the registration of the satisfaction of mortgages and deeds of trust.

Mr. Settle, from Committee on Claims, reported unfavorably on H. R. 235, in favor of R. S. Pullen; H. R. 225, in favor of London Williams, favorably; and favorably on S. R. No. 433, in favor of Jefferson Hinton; H. R. 233, in favor of A. O. Kerr, favorably.

Mr. Henderson, from Committee on Corporations, reported favorably on H. B. 513, an act in relation to Waynesville Female Academy; H. B. 514, to incorporate Waynesville Academy Association; H. B. 505, to incorporate Wilmington and Charlotte Steamship Company; H. B. 492, S. B. 141, to incorporate Yanceville, Danville and Coalfield Railroad.

Mr. McNeill, from Committee on Propositions and Grievances, reported H. B. 185, to allow the personal representatives of Rubin King, of Robeson County, to collect arrears of taxes.

INTRODUCTION OF BILLS.

By Mr. Wilcox, a bill to amend sections 266, 268, 269, 270 and 271 of Code of Civil Procedure. Referred to judiciary committee.

By Mr. Buxton, a bill to incorporate Naval Extension Railroad Company. Referred to committee on internal improvements.

By Mr. Wilcox, a bill to lay off a Road in Ashe County. Referred to committee on counties, &c.

By Mr. Marler, a bill to extend time to Geo. Nicks to settle with the County Treasurer. To committee on propositions and grievances.

By Mr. Ashe, to incorporate the Wilmington Railroad. Referred to committee on Corporations.

CALANDER.

S. B. on 2nd reading, a bill to amend chap. 160 of act of 1868–'69, was taken up and passed second and third readings, and ordered engrossed.

S. B. on 2nd reading, to amend an act in relation to the town of Hertford, in Perquimans county, was taken up and passed second and third readings, and ordered enrolled.

H. B. on second reading, a bill supplemental to an act to lay off and establish the county of Swain, was taken up and passed second and third readings, amended by report of committee on judiciary, and passed second and third readings and ordered engrossed.

Mr. Settle, by consent, introduced a resolution in favor of G. W. and B. K. Dickey. Referred to committee on claims.

When Mr. Settle, from Committee on Claims, reported favorably on said resolution.

H. B. on second reading, to incorporate the town of Jefferson, in Ashe county, was taken up and passed second and third readings and ordered engrossed.

S. B. on second reading, to amend 21st section of an ordinance of Convention of 1865–'66 and 1868, was taken up and passed second and third readings and ordered enrolled.

H. B. on second reading, to amend an act in relation to taking fish in Neuse river and Contentnea creek, passed second and third readings and ordered engrossed.

H. R. on second reading, in favor of G. W. and B. K. Dickey, was taken up, when the hour for consideration of special order having arrived, it was, on motion, postponed for disposition of business before the House.

Mr. Hargrove called the ayes and noes on second reading, and resolution failed. Ayes 31; Noes 39.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bryson, Buxton, Copeland, Dickey, Furr, Gambrel, Garrison, Gore, Johnston of Buncombe, Jones of Northampton, Joyner of Pitt, Jordan, Lucas, Morris, Phillips, Powell, Rankin, Robinson, Scott, Smith of Anson, Smith of Wayne, Strudwick, Welch, Withers, Womack, Woodhouse and Young of Wake —31.

Noes—Messrs. Brooks, Bryan of Jones, Bunn, Cawthorn, Clinard, Darden, Dudley, Ellison, Faulkner, Fletcher, French, Gatling, Goodwyn, Gullick, Guyther, Hargrove, Hinnant, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnson, Justice, Loftin, Lyon, Maxwell, McNeill, Morgan of Montgomery, Morgan of Wake, Page, Reavis, Regan, Robbins, Shull, Smith of Halifax, Stewart, Sykes, Tucker, Wilcox, Williamson and York—39.

When special order to amend sections 14 and 15 of chapter 2, Revised Code, was taken up, and Mr. Strudwick moved to make bill special order for Monday next at 11 o'clock, and motion prevailed.

When Mr. Robinson, from Committee on Enrolled Bills, reported an act to incorporate the town of Lincolnton, and act concerning the elections in the State, and an act to repeal chap. 16, of private laws of 1869 and 1870, and the same were ratified.

CALENDAR RESUMED.

H. B. on second reading, to prevent fishing on Sunday, was taken up,

When Mr. Guyther moved to amend,

When the bill was withdrawn by consent.

S. B. on second reading, in reference to copying laws of present Assembly, was taken up, when

Mr. Justice moved to lay on the table, and motion did not prevail.

When Mr. Jordan moved to strike out section 3; motion withdrawn and bill passed second reading, and under suspension of the rules, the third reading and ordered enrolled.

Mr. Goodwyn moved to grant leave of absence for Mr. Bryan of Halifax, also to Mr. Tucker, for one day from to-morrow.

On motion of Mr. Joyner, of Johnston, the vote by which S. B. 99, in relation to burnt records, was reconsidered (act to amend chap. 160, laws of 1868–'69,) and moved to amend section —.

Motion withdrawn, and motion to recommit to Judiciary Committee adopted.

H. B. on second reading, to authorize the city of Wilmington to make fee simple title to a certain lot to A. F. & A. Masons, was taken up and passed second and third readings and ordered engrossed.

S. B. on second reading, an act to amend chap. 201, sec. 31, of act of April 1869, was taken up,

When the hour for consideration of special order having arrived it was postponed, and bill passed second and third readings and ordered engrossed.

A message was received from the Senate transmitting and asking concurrence in the passage of S. B. No. 474, to amend section 18, chap. 229, laws of 1869–'70; S. B. 471, for the better protection of the Literary Fund; S. B. 442, to amend the charter of the town of Warrenton; S. B. 496, to repeal

chap. 46, laws of 1868–'69, and chap. 131, laws of 1869–'70 &c; S. R. 503, in favor of Edward F. Underhill; and S. B. 322, to incorporate Bank of Eastern North Carolina.

Bills and resolutions were referred,

When Special Order being bill to abolish office of State Geologist was taken up, and

On motion of Mr. Brown, was postponed to Monday at 10½ a. m.

Leaves of absence were granted Mr. Ashe for one day; to Mr. H. C. Hampton for one week from 3d instant; to Mr. Tomlinson for one day from to-morrow.

When Special Order No. 2, being consolidation of North Carolina and Western North Carolina Railroads, was taken up, and

Amendment of Mr. Broadfoot, fixing guage of consolidated roads being under consideration,

Mr. Marler called the ayes and noes on its adoption, and amendment did not prevail. Ayes 49; Noes 53.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Cawthorn, Crawford, Currie, Darden, Dickey, Drake, Dunham, Faulkner, French, Furr, Garrison, Gore, Gullick, Grayson, Guyther, Harris of Franklin, Henderson, Hinnant, Johnston of Buncombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelsey, Kincade, Lucas, Luckey, Mabson, Maxwell, McCauley, Morris, Page, Robinson, Scott, Smith of Anson, Smith of Halifax, Smith of wayne, Stanford, Stewart, Strudwick, Welch and Woodhouse—49.

Noes—Messrs. Brooks, Brown, Bryan of Jones, Bunn, Buxton, Carson, Clinard, Copeland, Dudley, Ellison, Fisher, Fletcher, Gambrel, Gregory, Hampton, Harris of Guilford, Hargrove, Hardy, Houston, Hill, Johnson of Edgecombe, Jones of Caldwell, Kelly of Davie, Lassiter, Loftin, Lyon, Martin, Marler, McAllister, McNeill, Morgan of Wake, Mitchell, Nicholson, Nisson, Phillips, Paylor, Powell, Rankin, Reavis, Regan, Robbins, Settle, Shull, Sykes, Tucker, Tomlinson, Waring,

Withers, Willis, Wilcox, Womack, Young of Wake and York —53.

When Mr. Kelsey moved a substitute for the bill consolidating Northwestern North Carolina and Western North Carolina Railroads, and to postpone further consideration of bill to Tuesday next at 11 o'clock, with order to print the substitute.

Mr. French in the chair.

Mr. Marler called the ayes and noes on motion to postpone consideration to Tuesday next. The call was sustained and motion lost. Ayes 41; noes 54.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bryson, Cawthorn, Crawford, Currie, Dickey, Drake, Dunham, Faulkner, Garrison, Grayson, Guyther, Hargrove, Houston, Hinnant, Johnston of Buncombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelsey, Kincade, Luckey, Lyon, Mabson, Maxwell, McCauley, McNeill, Page, Reavis, Reid, Robinson, Smith of Anson, Smith of Wayne, Stanford, Strudwick and Welch—41.

Noes—Messrs. Brooks, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Carson, Clinard, Copeland, Dudley, Ellison, Fisher, Fletcher, Furr, Gambrel, Gatling, Gullick, Gregory, Hampton, Harris of Guilford, Hardy, Henderson, Hill, Johnson of Edgecombe, Jones of Caldwell, Kelly of Davie, Lassiter, Loftin, Martin, Marler, McAllister, Morgan of Montgomery, Morgan of Wake, Mitchell, Nicholson, Nisson, Phillips, Paylor, Powell, Rankin, Regan, Settle, Shull, Smith of Halifax, Tucker, Tomlinson, Waring, Withers, Willis, Wilcox, Woodhouse, Williamson, Young of Wake and York—54.

Mr. Page moved to refer bill and substitute to committee on internal improvements.

Mr. York called the ayes and noes. Call was not sustained.

Mr. Wilcox called the ayes and noes on adoption of the substitute.

Mr. Mabson moved to postpone till Saturday.

Mr. Dudley moved to lay motion on the table, and motion to table did not prevail.

When a message was received from the State Treasurer and read, relating to an injunction served on same by A. H. Swaze, in response to a resolution adopted by the House.

When Mr. Ashe, by consent, introduced a bill in reference to special tax money in the Treasury; which, on motion of Mr. Ashe, was referred, with report of Treasurer, to finance committee.

When Mr. Mabson moved to adjourn.

Mr. York called the ayes and noes. The call was not sustained.

Mr. Page moved to postpone till to-morrow.

Mr. Shull moved to lay on the table; which motion prevailed.

The substitute was not adopted. Ayes 24; Noes 70.

Ayes—Messrs. Anderson, Ashe, Bryson, Crawford, Dickey, Garrison, Grayson, Guyther, Hargrove, Houston, Hinnant, Johnston of Buncombe, Justice, Kelly of Davie, Maxwell, Morris, Page, Reavis, Robinson, Smith of Wayne, Stanford, Stewart, Welch and Womack—24.

Noes—Messrs. Armstrong, Atwater, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Carson, Clinard, Copeland, Currie, Darden, Dudley, Dunham, Ellison, Faulkner, Fisher, Fletcher, Furr, Gambrel, Gatling, Gore, Gullick, Gregory, Hampton, Harris of Guilford, Hardy, Henderson, Hill, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Lassiter, Loftin, Lucas, Mabson, Marler, McAllister, McCauley, Morgan of Montgomery, Morgan of Wake, Mitchell, Nicholson, Nisson, Phillips, Paylor, Powell, Rankin, Reid, Regan, Robbins, Settle, Shull, Smith of Halifax, Strudwick, Sykes, Tucker, Tomlinson, Waring, Withers, Willis, Wilcox, Woodhouse, Williamson, Young of Wake and York—70.

Mr. Jones, of Caldwell, called the previous question, and called the ayes and noes. The call was sustained, and the bill failed to pass. Ayes 41; Noes 56.

Ayes—Messrs. Brown, Bryan of Jones, Bunn, Carson,

Clinard, Copeland, Dudley, Ellison, Fisher, Fletcher, Gambrel, Gore, Hampton, Harris of Guildford, Hardy, Hill, Johnson of Edgecombe, Jones of Caldwell, Kelly of Davie, Lassiter, Loftin, Marler, McAllister, Morgan of Wake, Mitchell, Nicholson, Nisson, Phillips, Paylor, Powell, Rankin, Settle, Shull, Tucker, Tomlinson, Withers, Willis, Wilcox, Williamson, Young of Wake and York—41.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryant of Halifax, Bryson, Cawthorn, Crawford, Currie, Darden, Dickey, Drake, Dunham, Faulkner, Furr, Garrison, Gatling, Goodwyn, Gullick, Grayson, Gregory, Guyther, Hargrove, Henderson, Houston, Hinnant, Johnston of Buncombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelsey, Kincade, Lucas, Luckey, Mabson, Maxwell, McCauley, Morris, Page, Reavis, Reid, Robinson, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Stewart, Strudwick, Sykes, Waring, Welch, Womack and Wodhouse—56.

Mr. Robinson moved to reconsider the vote by which the bill passed third reading and to lay the motion on the table.

Mr. Nicholson called the ayes and noes, the call was sustained and motion to table lost. Ayes 47; Noes 48.

Ayes—Messrs. Anderson, Armstrong, Atwater, Broadfoot, Bryson, Cawthorn, Crawford, Currie, Darden, Dickey, Drake, Dunham, Faulkner, Furr, Gatling, Goodwyn, Gullick, Grayson, Gregory, Guyther, Hargrove, Henderson, Houston, Hinnant, Johnston of Buncombe, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelsey, Kincade, Lucas, Luckey, Mabson, Maxwell, McCauley, Morris, Page, Reavis, Robinson, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Stewart, Strudwick and Welch—47.

Noes—Mr. Speaker, Messrs. Ashe, Brown, Bryant of Jones, Bunn, Carson, Clinard, Copeland, Dudley, Ellison, Fisher, Gambrel, Gore, Hampton, Harris of Guilford, Hardy, Hill, Johnson of Edgecombe, Jones of Caldwell, Kelly of Davie, Lassiter, Loftin, Martin, Marler, McAllister, Morgan of Wake,

Mitchell, Nicholson, Nisson, Phillips, Paylor, Powell, Rankin, Reid, Robbins, Settle, Shull, Sykes, Tucker, Tomlinson, Waring, Withers, Willis, Wilcox, Woodhouse, Williamson, Young of Wake and York—48.

Leave of absence for three days was granted Mr. York on account of sickness.

Pending motion to reconsider, the House, upon motion, adadjourned.

FRIDAY, March 3d, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Dr. Burton, of Virginia.

The journal of yesterday was read and approved.

Leave of absence were granted the following gentlemen: Mr. McCauley for one day; Mr. Brown for one day from Monday; Mr. McNeill for five days on account of sickness; Mr. Bryan, of Jones, for one day from to-morrow morning; Mr. Darden was reported detained from the House on account of sickness; Mr. Faulkner for one day, and Mr. Hill till Tuesday next on account of sickness.

REPORTS OF COMMITTEES.

Mr. Crawford, from Committee on Engrossed Bills, reported H. B. 281, to incorporate the town of Jefferson, in Ashe county; H. B. 380, to incorporate the Georgia and North Carolina Railroad Company; H. B. 495, supplemental to act to establish the county of Swain; H. B. 486, to amend an act relating to taking fish in Neuse river and Contentnea creek; H. B. 434, to authorize the city of Wilmington to make fee simple conveyance of a certain lot; H. B. to repeal section 31, chapter 201, of act 12th of April, 1869, as correctly engrossed.

Mr. Rankin, from Committee on Propositions and Griev-

ances, reported on H. B. 18, with bill to prevent sale of spirituous liquors near the corporate limits of town of Murfreesboro', recommending its passage.

Mr. McCauley, from Committee on Counties, Towns, &c., reported amendments to S. B. 137, to authorize commissioners of Guilford to issue bonds to pay off county debt.

Mr. Anderson, from Committee on Counties, Towns, &c., reported favorably with a proviso to S. B. 325, in relation to entries of land in Jackson county.

INTRODUCTION OF BILLS.

By Mr. Dickey, a bill in relation to obstruction in Nottaleh and Hiawasse rivers in Cherokee county. Referred to committee on propositions and grievances.

By Mr. Sparrow, a bill for the better protection of destitute children. Referred to committee on judiciary.

By the same, a bill to pay for certain services rendered during the Impeachment trial. Referred to finance committee.

By Mr. Loftin, a bill to authorize commissioners of Kinston to levy special tax. Referred to committee on counties, &c.

By Mr. Waring, a bill to transfer Mecklenburg county from 9th to 5th Judicial District. Referred to committee on judiciary.

By Mr. Dudley, a bill to incorporate the Independent Order of Good Templars of Newbern. Referred to committee on corporations.

By Mr. Justice, a bill to repeal a resolution in favor of M. A. Bledsoe. Referred to finance committee.

CALANDAR.

The unfinished business being, motion to re-consider vote by which the consolidation of N. C. and N. W. N. C. R. Road passed third reading,

Mr. Jones called the ayes and noes, the call was sustained and motion to reconsider lost. Ayes 37; Noes 58.

Ayes—Messrs. Brown, Bryan of Jones, Bunn, Carson Clinard, Copeland, Dudley, Ellison, Fisher, Fletcher, Gambrel, Harris of Guilford, Johnson of Edgecombe, Kelly of Davie, Lassiter, Loftin, Martin, Marler, McAllister, Morgan of Wake, Mitchell, Nicholson, Nisson, Powell, Rankin, Robbins, Settle, Shull, Tucker, Waring, Withers, Willis and Young of Wake —37.

Noes—Messrs. Anderson, Armstrong, Ashe, Brooks, Broadfoot, Bryson, Buxton, Cawthorn, Crawford, Currie, Dickey, Drake, Ellison, Faulkner, French, Furr, Garrison, Gatling, Gore, Gullick, Grayson, Guyther, Hargrove, Hardy, Henderson, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelsey, Kincade, Lucas, Luckey, Lyon, Mabson, Maxwell, McCauley, Morris, Morgan of Montgomery, Page, Reavis, Reid, Regan, Robinson, Scott, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Stewart, Strudwick, Sykes, Wilcox, Woodhouse and Williamson—58.

S. B., on second reading, to incorporate Yanceyville, Danville and Coalfield Railroad Company, was taken up and passed second and third readings.

H. B. on second reading, substitute to authorize commissioners of Harnett county to levy a special tax and for other purposes, was taken up and adopted, and passed second reading. Ayes 58; Noes 5.

Ayes—Messrs. Anderson, Armstrong, Bryson, Buxton, Cawthorn, Carson, Copeland, Crawford, Currie, Darden, Dickey, Drake, Faulkner, French, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hinnant, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kincade, Lassiter, Lucas, Lyon, Martin, Maxwell, McCauley, Morris, Morgan of Montgomery, Mitchell, Newsom, Phillips, Powell, Regan, Robbins, Scott,

Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stewart, Strudwick, Willis, Woodhouse and Young of Wake —58.

Noes—Messrs. Ellison, Fletcher, Grayson, Guyther and Marler—5.

Mr. Robinson, from Committee on Enrolled Bills, reported n act to amend an act for the better government of the town of Hertford; an act to charter the Citizen's Bank; an act to amend section 21, of an ordinance of the Convention of 1865-'6, respecting jurisdiction of courts of the State, re-ratified by Convention of 1868; and an act in relation to copying the laws for the public printer, as correctly enrolled and they were ratified.

S. B. on second reading, a bill to revise and amend an act to incorporate the Bladen Manufacturing Company was taken up, and passed second and third readings, and ordered enrolled.

H. B. on second reading, a bill for benefit of Insane Asylum was taken up and passed second and third readings and ordered engrossed.

Mr. Hargrove moved to reconsider the vote by which resolution in favor of G. W. and B. K. Dickey failed to pass second reading. Motion prevailed.

Mr. Strudwick moved to refer to finance committee, and motion prevailed.

S. B. on second reading, to incorporate Perquimans Saving's Bank in Hertford was considered, and passed second and third readings and ordered enrolled.

S. B. on second reading, to amend section 47, chapter 93, laws of 1868-'69, was considered, when

Mr. Hargrove moved to postpone indefinitely. Motion lost and bill passed second reading.

Mr. McAllister, by permission, introduced a resolution to pay witnesses in impeachment trial of Governor Holden, and moved to suspend the rules to consider the resolution, and motion prevailed, and resolution failed for want of a quorum.

Mr. Strudwick renewed motion to consider the resolution,

and called the ayes and noes. The call was sustained, and resolution passed second reading.

On motion of Mr. Strudwick, the rules were further suspended, when

Mr. Robinson moved to refer to finance committee, and motion did not prevail.

Mr. Robinson called the ayes and noes. The call was sustained and resolution passed. Ayes 45; Noes 31.

Ayes—Messs. Armstrong, Brooks, Brown, Bryan of Jones, Bunn, Cawthorn, Copeland, Crawford, Currie, Drake, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Guyther, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Caldwell, Jones of Northamton, Kelsey, Luckey, Martin, Mabson, McAllister, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Phillips, Reavis, Reid, Robbins, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Strudwick, Tucker, Willis, Williamson and Young of Wake—45.

Noes—Messrs. Anderson, Broadfoot, Bryson, Buxton, Dickey, French, Furr, Gambrel, Gullick, Grayson, Henderson, Houston, Hinnant, Joyner of Johnston, Joyner of Pitt, Justice, Kelly of Davie, Kincade, Lucas, Marler, Maxwell, Mitchell, Nicholson, Powell, Regan, Robinson, Settle, Waring, Withers, Wilcox and Woodhouse—31.

Special order being substitute for Senate bill to repeal an act authorizing commissioners of Jones to levy special tax was taken up, and substitute was not adopted, and bill passed second and third readings and ordered enrolled.

S. B. on second reading, to authorize commissioners of Guilford to issue bonds was taken up, amended and passed second reading. Ayes 56; Noes 5.

Ayes—Messrs. Armstrong, Brooks, Bryson, Clinard, Copeland, Crawford, Currie, Dickey, Drake, Ellison, Furr, Gambrel, Garrison, Gatling, Gullick, Grayson, Hargrove, Hardy, Henderson, Houston, Hinnant, Joyner of Johnston, Joyner of Pitt, Jordan, Kincade, Lassiter, Lucas, Luckey, Lyon, Mar-

tin, Marler, Maxwell, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Nicholson, Powell, Rankin, Reid, Regan, Robbins, Robinson, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Stewart, Tucker, Waring, Withers, Willis, Wilcox, Woodhouse and Williamson—56.

Noes—Messrs. Cawthorn, Dudley, Faulkner, Guyther and Justice—5.

Mr. Jordan, by consent, introduced a substitute to S. B. to incorporate Petersburg and Greensboro' Railroad; which was referred to committee on internal improvements.

The following was announced from the chair: Messrs. Hargrove, Henderson and Kelsey as House branch of Joint Committee to enquire into State's interest in Cape Fear Navigation Company.

The managers of impeachment retired as usual at 11 o'clock.

On motion, the House adjourned.

SATURDAY, March 4th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Grayson of the House.

The journal of yesterday was read and approved.

A message was sent transmitting to the Senate bills reported by Committee on Engrossed Bills yesterday, and asking concurrence in the same.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from Committee on Judiciary, reported favorably on H. B. 312, to change the time of holding the Superior Courts of New Hanover; H. B. 440, to punish the obtaining of goods under false pretences; H. B. 506, to enable administrators and executors to issue executions in their own names on judgements obtained by them; on H. R.

224, with a substitute resolution to authorize the Governor to employ counsel to assist in criminal cases wherein State has an interest. Unfavorably on S. B. 13 to allow transfer of cases pending in Courts of Equity; same on H. B. 459, concerning costs in certain cases; H. B. 446, to amend laws in relation to executors, &c.; H. B. 443, to repeal chapter 260, public laws of 1868-'69.

Mr. Welch, from Committee on Internal Improvements, reported on S. B. 452, and substitute in H. B. 533, to incorporate Petersburg and Greensboro' Railroad Company, recommending adoption of the substitute.

RESOLUTIONS.

By Mr. Mabson, a resolution asking Hon. Z. B. Vance to resign the senatorship. Placed on the calendar.

BILLS.

By Mr. Anderson, a bill to prevent the purchase of ice for use of public officials by the State. On the calendar.

By Mr. Robbins, a resolution in regard to stationery. Placed on the Calendar.

By Mr. Dudley, a bill to allow enterers of vacant lands further time to obtain grants. Referred to committee on counties, &c.

By Mr. Scott, a bill to authorize Commissioners of Onslow to levy a special tax. Referred to finance committee.

By Mr. Sykes, a bill to incorporate Republican Star Lodge, No. 1384, G. U. O. of O. F., Elizabeth City, North Carolina. Referred to committee on corporations.

The calendar was taken up, when Mr. Smith, of Anson, moved to reconsider the vote by which resolution to pay impeachment witnesses passed third reading.

Mr. Robinson moved to recall the resolution from the Senate

and called the previous question. Motion prevailed, and a message was transmitted asking its return.

H. B. on second reading, to amend chapter 4, section 199, Code of Civil Procedure, concerning attachments, was taken up, amended and on motion of Mr. McCauley read and passed second and third readings and ordered engrossed.

Mr. Settle, from Committee on Claims, reported unfavorably on resolution in favor of Edward F. Underhill, considering the amount asked for unprecedentedly high.

H. B. on second reading, to authorize Commissioners of Bladen to levy a special tax was taken up and passed second reading. Ayes 54; Noes 7.

Ayes—Messrs. Anderson, Armstrong, Brooks, Bryson, Bunn, Buxton, Cawthorn, Clinard, Copeland, Crawford, Darden, Dickey, Drake, Dunham, Fisher, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Grayson, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hinnant, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelsey, Lassiter, Loftin, Lucas, Martin, McAllister, McCauley, Morris, Morgan of Montgomery, Mitchell, Nisson, Page, Powell, Robbins, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Welch, Willis, Wilcox and Woodhouse—54.

Noes—Messrs. Dudley, Ellison, Gore, Guyther, Maxwell, Nicholson and Regan—7.

S. B. on second reading, to incorporate Petersburg and Greensboro' Railroad, was taken up and substitute reported by Committee on Internal Improvements adopted, and passed second and third readings and ordered transmitted to the Senate.

Mr. Robinson in the chair.

H. B. on second reading, a bill to incorporate Culsagee & Corundum Manufacturing Company, was taken up and passed second and third readings and ordered engrossed.

When Mr. Currie, from Committee on Enrolled Bills, reported an act to repeal an act authorizing the Commissioners of Jones to levy a special tax, &c.; an act to revise and amend

an act entitled an act to incorporate the Bladen Manufacturing Company, ratified 26th of January, 1867; an act to incorporate the town of Wilkesboro', and an act to incorporate the Perquimans Savings Bank, as correctly enrolled.

Leave of absence for two days was granted to Mr. Lyon on account of sickness in family.

Mr. Justice, by consent, introduced a resolution to investigate charges against E. W. Jones, Judge of 2d District.

And on motion of Mr. Justice, the rules were suspended to consider the resolution.

By consent, the article in Goldsboro' newspaper, upon which the resolution is founded, was read and the resolution passed second and third readings unanimously.

H. B. on second reading. Bill to authorize construction of a Railroad from Kenansville to Clinton was taken up, when Mr. Jones, of Caldwell, moved to postpone and make special order for some day future. Motion withdrawn, and bill passed second and third readings, and ordered engrossed and sent to Senate.

A message was received from the Senate transmitting, S. R. in favor Erasmus D. Haynes. Referred to committee on claims.

S. B. No. 330, to authorize commissioners of Rockingham to issue bonds to pay county debt. Referred to committee on counties, &c.

S. B. on second reading, to amend section 1 of chapter 122 of laws of 1870, refering to grants in Jackson county, was taken up and amendment reported from committee adopted and bill passed second and third readings and amendment ordered engrossed.

S. B. on second reading to incorporate the Tomatla Iron Company was taken up and passed second and third readings and ordered enrolled.

Mr. Wilcox moved to adjourn. Motion lost.

S. B. on second reading, a bill to amend an act incorporating Homestead and Building Association in the State

was taken up and passed second and third readings and ordered enrolled.

Mr. Jones, by consent, introduced a resolution in favor of Wm. J. Lougee. Referred to committee on claims.

Mr. Maxwell, from Committee on Propositions and Grievances, reported S. B. on second reading, to repeal certain sections of an act ratified August, 17th, 1868, in reference to organization of State militia, was taken up and amendment offered by committee adopted, and bill failed to pass for want of a quorum.

Mr. Shull renewed the motion to pass the bill on second reading, and called the ayes and noes. The call was sustained and bill passed second reading. Ayes 43; Noes 19.

Ayes—Messrs. Anderson, Armstrong, Brooks, Bryson, Cawthorn, Carson, Clinard, Currie, Darden, Dickey, Drake, Fletcher, Furr, Gambrel, Gore, Grayson, Guyther, Henderson, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelsey, Lassiter, Lucas, Marler, Maxwell, McAllister, Mitchell, Nicholson, Phillips, Powell, Reid, Regan, Robbins, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Stanford, Withers, Wilcox and Woodhouse—43.

Noes—Messrs. Bunn, Copeland, Dudley, Ellison, Garrison, Gatling, Goodwin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Page, Smith of Halifax, Sykes and Willis—19.

When Mr. French moved to make bill special order for Saturday next, at 12 m., failed for want of a quorum, and bill failed to pass third reading, no quorum voting.

Mr. Stanford renewed the motion to pass bill and called the ayes and noes. The call was sustained and bill passed. Ayes 44; Noes 18.

Ayes—Messrs Anderson, Armstrong, Brooks, Bryson, Cawthorn, Carson, Chamberlain, Clinard, Currie, Dickey, Drake, Furr, Gambrel, Grayson, Guyther, Henderson, Houston, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan,

Kelly of Davie, Kelsey, Lassiter, Lucas, Martin, Marler, Maxwell, McAllister, Mitchell, Nicholson, Powell, Reid, Regan, Robbins, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Stanford, Withers, Wilcox and Woodhouse—44.

Noes—Messrs. Bunn, Darden, Dudley, Ellison, Fletcher, French, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Mabson, Morris, Morgan of Montgomery, Phillips, Reavis, Smith of Halifax, Willis and Williamson—18.

H. B. on second reading, to prevent fishing on Sunday, was taken up and Mr. Withers moved to postpone indefinitely. Motion lost, and amendments offered by Mr. Guyther were adopted, and bill passed second and third readings and ordered engrossed.

Leaves of absence were granted Mr. Womack for one day, and Mr. Atwater for one day.

The Managers of Impeachment as usual retired at 11 o'clock, a. m.

On motion the House adjourned.

MONDAY, March 6th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Grayson of the House.

The journal of Saturday was read and approved.

A message was sent transmitting to the Senate H. B. 306, to amend chap. 4. sec. 199, of Code of Civil Procedure; H. B. 535, to incorporate Petersburg and Greensboro' Railroad Company; H. B. 460, to incorporate the Culsagee and Curundum Mining and Manufacturing Company; S. B. 325, in relation to entries of vacant lands in Jackson county, with engrossed House amendments; H. B. 464, to incorporate the Kenansville and Clinton Railroad company, and asking concurrence in the passage of the same.

RESOLUTIONS INTRODUCED.

By Mr. Dudley. A resolution relating to adjournment. On calendar.

By Mr. Maynard. A resolution on same subject. On calendar.

By same. A resolution in relation to daily sessions. On calendar.

INTRODUCTION OF BILLS.

By Mr. Strudwick. A bill to provide for the collection of taxes by the State on property, polls and income. Referred to committee on finance.

Mr. Anderson moved to reconsider the vote by which resolution to raise a committee to investigate charges against E. W. Jones, Judge of 2d Judicial District passed third reading, and motion lost.

Mr. Page moved to reconsider the vote by which H. B. 266, to prevent fishing on Sunday, passed third reading.

Mr. Darden moved to lay the motion on the table, and motion prevailed.

Leave of absence was granted Mr. Copeland.

Mr. Johnston, of Buncombe, by permission, introduced a bill to allow commissioners of Buncombe to issue bonds. Referred to committee on counties, &c.

CALENDAR.

S. R. on second reading, in favor of W. P. Batchelor, was taken up and passed second and third readings and ordered enrolled.

S. R. on second reading, in favor of Edward F. Underhill, was taken up, when

Mr. Phillips moved to recommit to Committee on Claims.

Motion withdrawn and resolution passed second reading.

Mr. Tomlinson moved to commit to Finance Committee. Lost, and

Mr. Settle offered a proviso which did not prevail, and resolution passed third reading and ordered enrolled.

Messrs. Justice, Withers and McCauley were appointed committee to investigate charges against E. W. Jones, Judge of 2d Judicial District.

Mr. Hargrove, by permission, introduced a resolution in favor of Denny S. Marrow. Referred to committee on propositions and grievances.

S. R. on second reading, in favor of Jefferson Hinton, was taken up and passed second and third readings.

S. R. on second reading, to appoint a Joint Committee to report a bill to authorize the holding of three Superior Courts per year in each county.

Mr. Robinson moved to postpone indefinitely, and motion prevailed.

Leave of absence was granted Mr. Stewart for four days.

Special order, bill to abolish the office of State Geologist was taken up and Mr. French moved to lay on the table, and motion prevailed.

Second special order, being bill to appoint Assistant State Geologist for Western part of the State, was taken up, when Mr. Robinson moved to amend by striking out "competent Assistant" and insert C. D. Smith, and motion adopted.

Also, to amend by confining action of Assistant to 6th and 7th Congressional Districts. Amendment adopted.

When Mr. Robinson moved a proviso as section 3rd, that one thousand dollars be appropriated out of moneys of the State for pay to Assistant State Geologist for services.

Mr. Withers, to amend by giving Principal State Geologist salary of $2,000 and Assistant $1,000, and that no other sum shall be expended for the office. Amendment offered by Mr. Robinson did not prevail.

On amendment offered by Mr. Withers, Mr. Settle called

the ayes and noes. The call was sustained and amendment was adopted. Ayes 39; Noes 29.

AYES—Messrs. Anderson, Brooks, Bryson, Bunn, Cawthorn, Clinard, Crawford, Darden, Dickey, Drake, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gore, Guyther, Harris of Guilford, Hargrove, Hardy, Johnston of Buncombe, Johnson of Edgecombe, Jones of Northampton, Kelsey, Lassiter, Lucas, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Powell, Robbins, Settle, Shull, Smith of Wayne, Stanford, Withers, Woodhouse and Williamson--39.

NOES—Messrs. Armstrong, Carson, Currie, Dudley, Dunham, Ellison, Fisher, Fletcher, French, Grayson, Harris of Franklin, Houston, Jones of Caldwell, Joyner of Pitt, Jordan, Martin, Marler, Nicholson, Phillips, Rankin, Reid, Regan, Robinson, Smith of Anson, Smith of Halifax, Sparrow, Tomlinson, Willis and Wilcox—29.

Mr. Sparrow moved to postpone and make special order for Thursday next at 12 o'clock. Motion did not prevail.

Mr. Jones moved to adjourn. Motion did not prevail.

Mr. Robinson called the previous question, and the call was sustained, and bill failed to pass for want of a quorum.

Mr. Robinson renewed motion to pass bill on second reading and called the ayes and noes. The call was sustained and bill passed. Ayes 43; Noes 28.

AYES—Messrs. Anderson, Brooks, Broadfoot, Bryson, Buxton, Cawthorn, Clinard, Crawford, Currie, Darden, Dickey, Drake, Furr, Gambrel, Garrison, Goodwyn, Gore, Guyther, Harris of Guilford, Hargrove, Hardy, Henderson, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Kelsey, Lassiter, Lucas, Marler, Morris, Morgan of Montgomery, Morgan of Wake, Powell, Reavis, Robbins, Robinson, Settle, Shull, Stanford, Sykes, Withers, Woodhouse and Williamson—43.

NOES—Messrs. Armstrong, Bunn, Carson, Dudley, Dunham, Ellison, Faulkner, Fisher, French, Gatling, Grayson, Houston, Joyner of Pitt, Jordan, Martin, Mabson, McCauley, Nicholson,

Phillips, Rankin, Reid, Regan, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Tomlinson, Willis and Wilcox—28.

When on motion, the House adjourned.

TUESDAY, March 7th, 1871.

The House met at 10, A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Hardy of the House.

The journal of yesterday was read and approved.

A message was sent transmitting to the Senate H. B. 266, to prevent fishing on Sunday, an engrossed amendment to S. R. 212, to print the Governor's message, and asking concurrence therein.

Mr Maxwell was reported absent on account of sickness.

REPORTS OF COMMITTEES.

Mr. Kelly, from Committee on Internal Improvements, reported favorably on H. B. 516, to incorporate the Naval Extention Railroad Company; H. B. 461, to amend chap. 106 of the Public Laws of North Carolina, passed in session of 1869 and 1870; S. R. No. 305, concerning a Canal from Waccamaw to Little River, S. C; H. B. 509, to amend the charter of the Caldwell and Watauga Turnpike Company.

Mr. Waring was reported absent on account of sickness.

RESOLUTIONS INTRODUCED.

By Mr. Dudley. A resolution instructing the Committee on Military Affairs to report a bill. Placed on calendar.

BILLS.

By Mr. Broadfoot. A bill, with petition of citizens, to prevent sale of liquors near Cedar Creek Landing, in Cumberland. Referred to committee on propositions and grievances.

By Mr. Stanford. A bill to construct a railroad from Kinston to Kenansville. Referred to committee on internal improvements.

By Mr. Hardy. A bill to create a commission to ascertain the real debt of the state, and to settle the same. Referred to finance committee.

By Mr. Sparrow. A resolution to print action of two Houses in impeachment trial of Governor Holden. On calendar.

By Mr. McCauley. A bill in relation to delinquent taxpayers. Referred to committee on finance.

By Mr. Johnston, of Buncombe. A bill to amend act to suspend Code of Civil Procedure in certain cases. Referred to judiciary committee.

Mr. Nicholson, by consent. A resolution in favor of night sessions. On calendar.

By Mr. French. A joint resolution in regard to stationery. On calendar.

CALENDAR.

On motion of Mr. Buxton, the rules were suspended and H. B. to charter Naval Railroad Extension Company, was taken up, and passed second and third readings and ordered engrossed.

On motion of Mr. Robinson, the rules were suspended and bill in relation to Assistant State Geologist was taken up, when, by consent,

Mr. Hargrove introduced a bill to charter the Oxford and Henderson Railroad Company. To internal improvements.

Mr. Jordan, a resolution requiring call of the rolls of the two

Houses daily, and concerning attendance of members. On calendar.

Leave of absence was granted Mr. Bryan, of Jones, for one day.

Mr. Robinson moved to strike out the proviso offered by Mr. Withers on yesterday and adopted, from bill in relation to Assistant State Geologist, and motion prevailed.

When Mr. Tomlinson offered a substitute allowing the State Geologist a salary of $2,000, the remaining $3,000 of the appropriation to be expended in office. Substitute lost.

Mr. Page moved to strike out all after the word "Geologist" in line 7, section 1. Motion prevailed.

Mr. Jordan moved to amend by allowing an Assistant for 6th congressional district.

Mr. Page, to amend appointing Assistant for 1st district, both motions lost. And bill passed third reading and ordered engrossed.

A message was received from the Senate transmitting engrossed amendments, to H. B. 396, S. B. 460, incorporating P. & N. C. Land Company, which were concurred in.

Also, a message transmitting as passed S. R. 449, in favor of W. W. & D. M. Watts; S. R. 434, in favor of Mrs. Jane Hinton, asking concurrence thereto.

Also, announcing concurrence in House amendments to S. B. 452, to incorporate Petersburg & Greensboro' Railroad Company; House amendments to S. B. 325, in relation to entries of vacant lands in Jackson county, and House amendments to S. R. 212, to print the Governor's message.

Also, a communication from Public Treasurer, referring to notice of injunction against him, with copy of the notice.

Mr. Robinson moved to refer to judiciary committee, with instructions to report to-morrow. Motion prevailed.

Mr. Robinson from Committee on Enrolled Bills, reported as correctly enrolled, an act to incorporate the Yanceyville, Danville and Coalfield Railroad; an act to amend an act entitled an act authorizing the incorporation of Homestead and

Building Associations in the state; an act authorizing the commissioners of Chatham county to issue bonds; an act to incorporate the Tomatla Iron Company; an act to incorporate the Statesville Seminary; resolution in favor of Jefferson Hinton; resolution in favor of W. P. Batchelor and resolution in favor of Edward F. Underhill. And they were ratified.

On motion of Mr. French, the rules were suspended and resolution in regard to Waccamaw and Little River Canal was taken up and passed second and third readings and ordered engrossed.

By Mr. Phillips. A bill to incorporate the town of Cary. Referred to committee on counties, &c.

Also, a bill to incorporate the Raleigh Farmers' and Merchants' Manufacturing Company. Referred to committee on corporations.

Mr. Ashe, by consent, introduced a resolution in regard to the message of Governor Caldwell concerning bill passed by the present General Assembly concerning a Convention of the people.

Mr. Justice moved to refer to a select committee of five, and motion prevailed.

On motion of Mr. Rankin, the rules were suspended and bill to authorize commissioners of Guilford to issue bonds to pay the county debt, was taken up on third reading and passed. Ayes 57; Noes 4.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Bryson, Cawthorn, Currie, Darden, Dickey, Drake, French, Furr, Gambrel, Gatling, Gore, Greyson, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Hill, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Loftin, Lucas, Luckey, Martin, Marler, McAllister, McCauley, Morgan of Wake, Mills, Mitchell, Nicholson, Phillips, Powell, Rankin, Regan, Robinson, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Tomlinson, Willis, Wilcox, Womack, Woodhouse, Williamson and Young of Wake—57.

Noes—Messrs. Dudley, Faulkner, Justice and Settle—4.

By Mr. Darden. A resolution allowing Speaker to take up the calendar at his option for five days, failed for want of a quorum.

Mr. Justice moved to suspend the rules to take up S. B. in relation to salaries and fees of county officers, and called the ayes and noes. The call was sustained and rules suspended. Ayes 60; Noes 7.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Bryson, Bunn, Cawthorn, Clinard, Currie, Drake, Dudley, Faulkner, French, Gambrel, Gatling, Goodwyn, Grayson, Harris of Guilford, Harris of Franklin, Houston, Hill, Hinnant, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelsey, Loftin, Lucas, Luckey, Martin, Marler, McAllister, McCauley, Morris, Morgan of Wake, Mills, Mitchell, Page, Phillips, Powell, Rankin, Robinson, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Sykes, Withers, Willis, Wilcox, Womack, Woodhouse, Williamson and Young of Wake—60.

Noes—Messrs. Furr, Gore, Hargrove, Hardy, Kelly of Davie, Reavis and Regan—7.

When the following announcement was ordered from the the chair:

Select Committee on Mr. Ashe's resolution offered to-day—Messrs. Ashe, Justice, Darden, Stanford and McAllister, and that Mr. Strudwick is to take the place of Mr. Withers on Select Committee to investigate charges against E. W. Jones, Judge of 2d Judicial District.

Mr. Nicholson moved to consider the bill by sections which prevailed when, after consideration of several sections and adoption of amendments proposed by the Select Committee,

Mr. Robinson moved to reconsider the vote by which the House agreed to consider the bill by sections. Motion lost for want of a quorum.

Mr. Loftin renewed the motion and called the ayes and noes.

The call was sustained and motion prevailed. Ayes 48; Noes 18.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Bryson, Buxton, Currie, Darden, Dickey, Drake, Ellison, Faulkner, Fletcher, Gambrel, Garrison, Gatling, Goodwyn, Gore, Grayson, Henderson, Houston, Hill, Hinnant, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelsey, Lassiter, Loftin, Luckey, Martin, McCauley, Phillips, Regan, Robbins, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Willis, Womack, Woodhouse, Williamson and Young—48.

Noes—Messrs. Bunn, Clinard, Dudley, Fisher, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Mabson, Marler, Morris, Morgan of Montgomery, Morgan of Wake, Nicholson, Rankin, Reid, Tomlinson and Withers—18.

And motion to read by sections did not prevail.

Mr. Stanford moved to adjourn.

Mr. Nicholson called the ayes and noes. The call was not sustained and motion to adjourn did not prevail, and after further discussion

Mr. Marler moved to adjourn and motion prevailed.

WEDNESDAY, March 8th, 1871.

The House met at 10, A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Dr. Mason, of the city.

The journal of yesterday was read and approved.

The use of the Hall was granted this evening to the Labor Union.

Mr. Sparrow introduced a memorial from Albemarle Swamp Land Company asking authority to construct a Railroad. Placed on the calendar.

REPORTS OF COMMITTEES.

Mr. Jordan, from Judiciary Committee, reported on notice of injunction by Anthony H. Swazy against N. C. Railroad; a resolution authorizing the Public Treasurer to employ Attorney General, and he other counsel; unfavorably on H. B. 478, in relation to payment of costs by Jesse T. Turguson, sheriff of Wilkes; also on H. B. 532, to transfer Mecklenburg county from 9th to 5th Judicial District; H. B. 515, concerning the several superior courts of the State asking discharge from consideration of memorial of Grand Jurors of Cabarrus; and favorably on H. B. 186, an act regulating appointment of guardians *ad litem*.

Mr. Withers, from Committee on Judiciary, reported slight amendment to H. B. 269, to charter the Statesville and Mt. Airy Turnpike road and recommending its passage.

Mr. Ashe, from Committee on Finance, reported favorably on S. B. 474, concerning auction commissions on sales of tobacco.

Mr. McCauley from Committee on Counties, Tows, &c., reported on H. B. 545, to incorporate the Town of Carey, and H. B. 518, to lay out and construct a road in Ashe, recommending their passage, and asking reference to judiciary committee of H. B. 537,to allow enterers of vacant lands further time to obtain grants.

Mr. Crawford, from Committee on Engrossed Bills, reported an act to amend chap. 2, sections 14 and 15, Revised Code, as correctly engrossed.

INTRODUCTION OF BILLS.

By Mr. Sparrow. A bill for relief of estate of L. O'B. Branch, deceased. Order to print and referred to finance committee.

By the same. A bill authorizing Albemarle Swamp Land Company to construct a railroad. Placed on calendar.

By Mr. Hargrove. A bill to lay off and establish the line between Granville and Person counties. Referred to committee on counties and towns.

By Mr. Hill. A bill to incorporate the 1st Building and Loan Association of Statesville. Referred to committee on corporations.

Mr. Currie, from Committee on Enrolled Bills, reported an act to incorporate the Pennsylvania and North Carolina Land and Lumber Company, and Joint resolution concerning a Canal from the Waccamaw to Little River, S. C., as correctly enrolled, and they were ratified.

CALENDAR.

On motion of Mr. Withers, the unfinished business was postponed for consideration of S. B. 474, a bill in relation to auction commissions on tobacco, which was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. Jordan, the unfinished business was further suspended, and resolution in reference to employment by the State of counsel in matter of equity suit of A. H. Swaze against North Carolina, was taken under consideration and passed second and third readings and ordered engrossed.

When the unfinished business was taken up, and amendment reported by select committee in relation to attorney's fees in section 12, was not adopted. Other amendments reported adopted, and bill passed third reading, and amendments ordered engrossed.

Mr. Loftin moved to suspend the rules to take up bill athorizing levy of apecial tax in Kinston. Motion prevailed, and bill laid on the table.

H. B. on third reading, to require applicants to practice law to be examined by the Supreme Court Justices was taken up, when

Mr. Ashe moved to adopt S. B. No. 493, repealing chapters 46, laws 1868–'69, and 131, of 1869–'70, and re-enacting article

of Revised Code as substitute for the same, and motion prevailed.

Mr. Justice called the ayes and noes on second reading of the bill. The call was sustained and bill passed. Ayes 53; Noes 30.

Ayes—Messrs. Armstrong, Ashe, Atwater, Brown, Bryson, Carson, Clinard, Krawford, Currie, Drake, Faulkner, French, Furr, Gatling, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hill, Hinnant, Jones of Caldwell, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, Morgan of Wake, Mills, Mitchell, Nicholson, Phillips, Powell, Rankin, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Wilcox, Womack, Woodhouse and Young of Wake—53.

Noes—Messrs. Anderson, Bunn, Cawthorn, Collis, Dickey, Dudley, Gambrel, Garrison, Goodwin, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Justice, Lyon, Martin, Mabson, Morris, Morgan of Montgomery, Newsom, Nisson, Page, Reavis, Robbins, Smith of Halifax, Willis and Williamson—30.

When special order, being a bill to repeal certain sections of chapters 17 and 30 of late Constitutional Convention, was taken up.

On motion of Mr. Phillips, section 1 was stricken out, and

On motion of Mr. Ashe, section 2d, prefixed by enacting clause, was made section 1st.

On motion of Mr. Phillips, title of the bill was changed to an act to amend chapter 30 of late Constitutional Convention.

On motion of Mr. French, the words "the bonds which were issued to said company" were added to section 1, and

On motion of Mr. Phillips, bill was committed to Finance.

A message was received from the Senate announcing nonconcurrence in the House amendment to S. B. to change line between Edgecombe and Nash counties, and asking a committee of conference. The House agreed to appointment of

conference, and Messrs. Drake, Johnson of Edgecombe, Womack, Guyther and Mills, were appointed as House branch of said committee.

Also, a message from the Senate transmitting S. B. 88, to transfer one million dollars of stock in N. C. R. R. Co. to the Atlantic & N. C. R. R. Co., and to consolidate that portion of N. C. R. R. between Raleigh and Goldsboro' with the Atlantic & N. C. R. R. and asking concurrence of the House thereto.

Leave of absence was granted Mr. Harris on account of sickness in family.

H. R. No. 240 was returned from the Senate.

When motion of Mr. Smith of Wayne to reconsider (resolution authorizing Public Treasurer to pay from special tax fund impeachment witnesses) was adopted, and resolution, on motion of Mr. McAllister, laid on the table.

On motion of Mr. Ashe, the rules were suspended and H. B. changing time for holding courts in New Hanover was taken up, amended on motion of Mr. Ashe, and passed second and third readings and ordered engrossed.

On motion of Mr. Robinson, the rules were suspended and bill to incorporate the town of Murphy was taken up, passed second and third readings and ordered engrossed.

On motion of Mr. Anderson, the rules were suspended, and bill to change line between Clay and Macon was taken up and referred.

On motion of Mr. Phillips, the rules were suspended and bill to incorporate the town of Cary was taken up, and passed second and third readings and ordered engrossed.

On motion of Mr. Shull, the rules were suspended and H. B. No. 11 to change the line between Watauga and Caldwell counties, on third reading, was taken up.

Mr. Jones called the ayes and noes. The call was sustained, and bill failed to pass for want of a quorum. Ayes 33; Noes 26.

Ayes—Messrs. Anderson, Ashe, Atwater, Bryson, Carson, Clinard, Collis, Currie, Darden, Dickey, Drake, Furr, Gambrel,

Gatling, Grayson, Hargrove, Hinnant, Joyner of Johnston, Joyner of Pitt, Justice, Kelsey, Lucas, Luckey, Lyon, Martin, McCauley, Mills, Nicholson, Powell, Reid, Shull, Smith of Anson and Stanford—33.

Noes—Messrs. Brooks, Brown, Bryan of Jones, Bunn, Cawthorn, Dudley, Faulkner, Fisher, Fletcher, Garrison, Goodwyn, Harris of Guilford, Hardy, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Loftin, Morris, Morgan of Montgomery, Newsom, Smith of Halifax, Smith of Wayne, Tomlinson, Wil is, Womack and Williamson—26.

Mr. Dudley moved to adjourn. Motion did not prevail.

On motion of Mr. Stanford, the rules were suspended and H. B., regulating appointment of guardians *ad litem*, was taken up, (Mr. Robinson in the chair) and passed second and third readings, and ordered engrossed.

On motion of Mr. Ashe, the rules were suspended, and bill to establish and enforce an agricultural lien was taken up when Mr. Ashe moved to adjourn, and motion prevailed.

THURSDAY, March 9th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Collis, of the House.

The journal of yesterday was read and approved.

Leaves of absence were granted Messrs. Brown and Jones for four days, and Mr. Nisson for one day.

REPORTS OF COMMITTEES.

Mr. Crawford, from Committee on Engrossed Bills, reported as correctly engrossed, resolution instructing Public Treasurer to employ counsel to defend suit in U. S. Circuit Court.

Mr. Jordan, from Judiciary Committee, reported favorably on H. B. 402, to prevent fraud in the sale of commercial fertil-

izers; also a letter from Justice Rodman, with a resolution to authorize the printing of the reports of the late Code Commissioners by Public Printer.

Mr. Welch, from Committee on Internal Improvements, reported favorably on H. B. 549, to construct a Railroad from Kinston to Kenansville, and H. B. 547, to incorporate Oxford and Henderson Railroad Company.

Mr. Ashe, from Finance Committee, reported unfavorably on H. B. 548, to better enforce the collection of taxes; on S. R. No. 10, resolution in favor of M. A. Bledsoe, no further report than those made by committees already; unfavorably on S. R. No. 308, resolution in favor of Rufus S. Tucker; unfavorably on H. B. 534, a bill to repeal resolution in favor of M. A. Bledsoe; H. B. 530, a bill to pay certain services rendered in the impeachment trial; unfavorably on H. B. 443, a bill to be entitled an act in regard to taxes paid by mistake.

Mr. Ashe, from Select Committee on message of Governor Caldwell, concerning bill to call a Convention of the people, made a majority report, signed Ashe for the majority. Also, minority report, signed J. R. Darden and Jas. M. Justice.

RESOLUTIONS INTRODUCED.

By Mr. Robinson, a resolution instructing Public Treasurer to pay to county of Macon certain moneys. Referred to finance committee.

BILLS.

By Mr. Houston, a bill concerning *venire* of civil actions. Referred to judiciary committee.

By Mr. Ashe, a bill concerning contempt. Referred to judiciary committee.

By Mr. Currie, a bill to authorize Western North Carolina Railroad Company to open navigation of Little river. Referred to internal improvement committee.

By Mr. Phillips, a bill in favor of Rescue Steam Fire Engine Company. Referred to committee on claims.

Leave of absence for eight days was granted Mr. Johns on account of sickness in family.

CALENDAR.

Mr. Ashe moved to postpone unfinished business till Saturday next. Motion lost, no quorum voting.

On motion of Mr. Johnston, of Buncombe, the unfinished business was postponed five minutes, and resolution in favor of Russel L. Jones was taken up and referred to finance committee.

The unfinished business being, bill to establish an agricultural lien was taken up.

Mr. Darden moved to postpone indefinitely and called the ayes and noes. The call was sustained and motion lost. Ayes 36; Noes 56.

AYES—Messrs. Bryant of Halifax, Bryson, Bunn, Cawthorn, Crawford, Darden, Dudley, Ellison, Faulkner, Furr, Gatling, Goodwyn, Gore, Guyther, Hargrove, Henderson, Houston, Hinnant, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnston, Justice, Maxwell, Morgan of Montgomery, Newsom, Nisson, Page, Reavis, Reid, Regan, Robbins, Shull, Smith of Halifax, Sykes, Waring and Young of Wake—36.

NOES—Messrs. Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryan of Jones, Buxton, Carson, Clinard, Collis, Copeland, Currie, Dickey, Fisher, Fletcher, French, Gambrel, Garrison, Gullick, Grayson, Gregory, Harris of Guilford, Harris of Franklin, Hardy, Hill, Johnston of Buncombe, Johns, Joyner of Pitt, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Mabson, Marler, McAllister, Morris, Morgan of Wake, Mills, Nicholson, Phillips, Paylor, Rankin, Scott, Smith of Anson, Smith of Wayne, Stanford, Tucker, Welch, Withers, Willis, Wilcox, Womack, and Williamson—56.

On motion of Mr. McAllister, bill was amended by adding and laborer's lien after section 1, line 8.

Mr. Gregory moved to amend by inserting, in section 2, after the word lien, the words "through his agent or attorney." Adopted.

Mr. Currie, to amend by striking out in section 4, all after the word "made."

Mr. Ashe, to amend amendment, which was accepted and adopted; when, after discussion,

Mr. Gregory moved to refer to a select committee of five, when

Mr. Powell moved to lay the bill on the table, and motion prevailed.

Mr. French in the chair.

Mr. Currie, from Committee on Enrolled Bills, reported as correctly enrolled, an act to incorporate the Petersburg and Greensboro' Railroad Company; an act to amend section 18, chapter 229, of laws of 1869–'70, entitled an act to raise revenue; and an act to amend section 1, chapter 122, laws of 1869–'70, relative to entries of vacant lands in Jackson county, and they were ratified.

A message was received from the Senate transmitting S. R. 568, in favor of State Printer and asking concurrence therein; announcing concurrence in House amendments to S. B. 137, authorizing commissioners of Guilford to issue bonds; and that Messrs. Edwards, Waddell and Lehman were appointed Senate branch of Committee of Conference to change line between Edgecombe and Nash counties.

CALENDAR RESUMED.

H. B. on third reading, to annex a part of Caldwell to Watauga county was taken up, and passed and ordered engrossed.

H. B. on third reading, to authorize levy of special tax in Bladen was taken up, passed and ordered engrossed.

On motion of Mr. Nicholson the rules were suspended and resolution in favor of night sessions was taken up.

Mr. Clinard called the ayes and noes on its passage, and the call was sustained.

Mr. Sykes moved to lay on the table. Motion lost.

Resolution amended by fixing the hour of meeting at 7½ o'clock p. m.

Mr. Tomlinson moved to amend by adding for one week only.

Mr. Loftin moved to postpone till to-morrow at 12 o'clock.

When Mr. Tucker moved to postpone till 12 o'clock Monday,

When Mr. Nicholson called the previous question, which was lost for want of a quorum.

Mr. Dudley moved to adjourn.

Mr. Stanford called the ayes and noes. The call was sustained and House refused to adjourn. Ayes 5; Noes 65.

Ayes—Messrs. Bryant of Halifax, Bunn, Dudley, Johnson of Edgecombe and Newsom—5.

Noes—Messrs. Armstrong, Atwater, Brooks, Bryson, Buxton, Cawthorn, Carson, Clinard, Collis, Crawford, Currie, Dickey, Drake, Faulkner, Fletcher, Furr, Gambrel, Garrison, Goodwyn, Gore, Gullick, Grayson, Gregory, Guyther, Harris of Franklin, Hargrove, Hill, Hinnant, Joyner of Johnston, Joyner of Pitt, Jordan, Kelsey, Kincade, Lassiter, Loftin, Lucas, Luckey, Mabson, Marler Maxwell, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Nicholson, Nisson, Phillips, Powell, Rankin, Reavis, Regan, Robbins, Robinson, Shull, Smith of Anson, Stanford, Stewart, Sykes, Tomlinson, Withers, Womack, Williamson and Young of Wake —65.

Mr. Nicholson renewed call for the previous question, and called the ayes and noes. The call was sustained and previous question ordered. Ayes 61; Noes 13.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Bryson, Cawthorn, Carson, Clinard, Collis, Crawford,

Currie, Darden, Dickey, Drake, Faulkner, Fletcher, Furr, Gambrel Garrison, Gore, Gullick, Grayson, Gregory, Guyther, Harris of Franklin, Hardy, Henderson, Houston, Hill, Hinnant, Joyner of Johnston, Jordan, Kelsey, Kincade, Lassiter, Lucas, Luckey, Marler, Maxwell, McCauley, Morgan of Montgomery, Mills, Nicholson, Nisson, Phillips, Powell, Rankin, Reavis, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Tomlinson, Waring, Withers, Womack and Williamson—61.

Noes—Messrs. Bryan of Jones, Fisher, Goodwyn, Hargrove, Johnson of Edgecombe, Joyner of Pitt, Justice, Loftin, Mabson, Morris, Page, Robbins and Smith of Halifax—13.

The motions of Messrs. Loftin and Tomlinson did not prevail and resolution passed. Ayes 55; Noes 17.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bryson, Cawthorn, Carson, Clinard, Crawford, Currie, Dickey, Drake, Faulkner, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Guyther, Hargrove, Hardy, Henderson, Houston, Hill, Hinnant, Joyner of Johnston, Jordan, Kelsey, Kincade, Lassiter, Loftin, Lucas, Luckey, Mabson, Marler, Maxwell, McCauley, Morris, Nicholson, Nisson, Page, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Tomlinson, Waring, Withers, Womack and Young of Wake—55.

Noes—Messrs. Bryan of Jones, Bunn, Buxton, Collis, Dudley, Fisher, Garrison, Johnson of Edgecombe, Joyner of Pitt, Justice, Morgan of Wake, Mills, Newsom, Phillips, Scott, Tucker and Willis—17.

When on motion, the House adjourned.

FRIDAY, March 10th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Grayson of the House.

The journal of yesterday was read and approved.

A message was sent to the Senate transmitting S. B. 243, in relation to salaries and fees of county officers, with House amendments; H. B. 200, to authorize levy of special tax in Bladen county; and H. R. 258, instructing Public Treasurer to employ counsel to defend suit in United States Circuit Court.

REPORTS OF COMMITTEES.

Mr. McAllister, from Committee on Engrossed Bills reported a bill to incorporate the town of Murphy; and bill to annex part of Caldwell to Watauga county, as correctly engrossed.

Mr. Kelly, from Committee on Enrolled Bills, reported an act to allow commissioners of Guilford to issue bonds as correctly enrolled, and it was ratified.

Mr. Jordan, from Joint Committee on Penal Institutions, reported a substitute for H. B. 265, for better government of the penitentiary.

Mr. Stanford, from Finance Committee, reported favorably on bill to authorize levy of a special tax in Onslow county.

Mr. Maxwell, from Committee on Propositions and Grievances, reported favorably on bill to prevent sale of liquors near Cedar Creek Lodge, in Cumberland, and amendments to bill to prevent obstructions in Nottaleh and Hiawasse rivers.

Mr. Welch, from Committee on Internal Improvements, reported unfavorably on H. B. to authorize the formation of the Seaboard, Charlotte & Augusta Railroad.

INTRODUCTION OF BILLS.

By Mr. Broadfoot. A bill to change the mode of appointing State proxy and Directors for State in North Carolina Railroad Company. Referred to committee on internal improvements.

By Mr. Newsom. A bill authorizing levy of a special tax in Hertford county. Referred to committee on counties, towns, &c.

By Mr. Dudley. A bill to be entitled an act to establish the Newbern and Washington Railroad Company. Referred to committee on internal improvements.

Mr. Guyther, by consent, was excused from acting on Committee of Conference, on bill to change the line between Edgecombe and Nash counties, and Mr. Loftin was appointed in his stead.

CALENDAR.

S. B. on third reading, bill to repeal act of 1868–'9, chap. 46, and cap. 131, laws of 1869–'70, &c., was taken up, passed and ordered enrolled.

On motion of Mr. McCauley, the rules were suspended and bill in relation to constables, was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Sparrow, the rules were suspended and H. B. to authorize the Albemarle Swamp Land Company to construct a railroad, was taken up and passed second and third readings and ordered engrossed.

By consent, Mr. Crawford introduced a bill to amend the charter of the town of Salisbury. Referred to committee on corporations.

On motion of Mr. Welch, the rules were suspended and bill to incorporate the Waynesville Academy Association was taken up, and passed second and third readings and ordered engrossed.

On motion of Mr. Lucas, the rules were suspended and bill "to fix the capital stock of the Fairfield Canal & Turnpike Company," was taken up, and passed second and third readings and ordered engrossed.

On motion of Mr. Scott, the rules were suspended and bill to authorize commissioners of Onslow to levy a special tax was taken up, and passed second reading. Ayes 71; Noes 3.

Ayes—Messrs. Anderson, Armstrong, Brooks, Broadfoot, Bryan of Jones, Cawthorn, Carson, Clinard, Collis, Currie,

Darden, Dickey, Drake, Ellison, Fisher, Fletcher, Gambrel, Garrison, Gatling, Gore, Grayson, Guyther, Hargrove, Hardy, Henderson, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelsey, Loftin, Lassiter, Lucas, Luckey, Martin, Mabson, Marler, Maxwell, McAllister, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Newsom, Nicholson, Page, Phillips, Paylor, Powell, Reid, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Tomlinson, Waring, Welch, Withers, Willis, Womack, Woodhouse and Young of Wake—71.

Noes—Messrs. Dudley, Justice and Reavis—3.

On motion of Mr. Martin, the rules were suspended and bill to amend section 1 of an act relative to election of commissioners of navigation at Beaufort was taken up, and passed second and third readings and ordered engrossed.

On motion of Mr. Collis, the rules were suspended and bill to authorize levy of a special tax in Mitchell, on third reading was taken up and passed. Ayes 66; Noes 3.

Ayes—Messrs. Anderson, Armstrong, Atwater, Brooks, Bryant of Halifax, Bryson, Cawthorn, Carson, Clinard, Collis Crawford, Currie, Darden, Dickey, Drake, Ellison, Fisher, French, Furr, Garrison, Gatling, Grayson, Guyther, Hargrove, Hardy, Henderson, Hill, Hinnant, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Loftin, Lucas, Luckey, Mabson, Marler, Maxwell, McAllister, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Nicholson, Phillips, Paylor, Powell, Rankin, Reid, Regan, Robbins, Robinson, Shull, Smith of Anson, Smith of Halifax, Tucker, Tomlinson, Waring, Willis, Wilcox, Womack and Young of Wake—66.

Noes—Messrs. Dudley, Faulkner and Fletcher—3.

On motion of Mr. Womack, the rules were suspended and bill to amend sections 8 and 29, of chapter 3 of an act relating to proceedings in criminal cases, laws of 1868-'68, was taken up and passed third reading and ordered engrossed.

Mr. Mills, by consent, introduced a bill for benefit of agricultural interest in the State. Referred to committee on internal improvements.

S. B. on third reading, a bill to amend section 47, chapter 93 of public laws of 1868–69, was taken up and passed and ordered enrolled.

S. B. on third reading, to amend chapter 160, of laws of 1868–69, was taken up.

Mr. Joyner, of Johnston, moved to amend section 5, line 4, after the word otherwise, giving jurisdiction to probate judge to re-establish lost deeds or other matters, &c. Adopted, and bill passed and ordered engrossed as amended.

Leave of absence was granted Mr. Buxton; also Mr. Morgan, of Wake, and Mr. Smith, of Halifax, for one day.

S. B. on third reading, bill requiring sheriffs and coroners to give notice of process, was taken up, when Mr. Justice moved to strike out the word defendant in section relating to homesteads. Amendment prevailed, and bill as amended passed, and amendment ordered engrossed.

S. B. on second reading, a bill to change the line between Bladen and Columbus counties, was taken up. Proviso offered by committee that the qualified voters of district proposed to be changed consent to the act, was adopted, when, on motion of Mr. Fisher, further consideration was postponed till Tuesday next at 12 m.

On motion of Mr. Hargrove, H. B. to charter Oxford and Henderson Railroad Company was taken up, and passed second and third readings and ordered engrossed.

S. B. on second reading, bill to empower the commissioners of Tarboro' to levy a special tax was taken up, and amendments reported by the committee were not adopted, and bill passed second and third readings and ordered enrolled.

On motion of Mr. Stanford, bill authorizing the construction of a Railroad from Kinston to Kenansville was taken up, and passed second and third readings and ordered engrossed.

Mr. Jordan moved to reconsider the vote by which resolu-

tion in favor of night sessions passed third reading, and motion prevailed, and, on motion, the resolution was laid on the table.

On motion of Mr. Anderson, bill to prevent the purchase of Ice for use of State officer by State was taken up.

Mr. Jones moved to amend, by inserting after the word Ice, wherever it occurred, "and Ostrich feathers," when

Mr. Joyner, of Johnston, moved to lay bill and amendment on the table. Motion lost.

Mr. Stanford moved to refer bill to committee on propositions and grievances, and motion prevailed.

S. B. on second reading, to incorporate Augsburg Academy Trustees was taken up, and passed second and third readings and ordered enrolled.

On motion of Mr. Stanford, bill authorizing levy of special tax in Harnett county was taken up, and passed third reading. Ayes 59; Noes 4.

Ayes—Messrs. Armstrong, Ashe, Atwater, Brooks, Bryson, Cawthorn, Clinard, Collis, Currie, Darden, Dickey, Drake, Ellison, Fisher, French, Furr, Gambrel, Gatling, Goodwyn, Gullick, Grayson, Guyther, Hardy, Hill, Hinnant, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelsey, Kincade, Lassiter, Lucas, Martin, Marler, Maxwell, McAfee, McAllister, Morris, Morgan of Montgomery, Mills, Nicholson, Phillips, Paylor, Powell, Reavis, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Tucker, Tomlinson, Willis, Wilcox and Young of Wake—59.

Noes—Messrs. Dudley, Fletcher, Womack and Williamson—4.

On motion of Mr. McAfee, the rules were suspended and resolution regarding Governor's message on bill concerning a Convention was taken up, ordered printed, and made special order for Tuesday next, at 11 a. m.

On motion of Mr. Waring, S. R. in favor of Public Printer, was taken up and referred to committee on printing.

Mr. Jones, of Caldwell, moved to reconsider the vote by

which bill to annex part of Caldwell to Watauga county, passed third reading.

Mr. Shull moved to lay motion on the table, and motion did not prevail for want of a quorum.

Mr. Justice renewed motion to table, and called the ayes and noes. The call was sustained and motion to table prevailed. Ayes 34; Noes 31.

Ayes—Messrs. Armstrong, Bryan of Jones, Buxton, Clinard, Collis, Currie, Darden, Fisher, Fletcher, Furr, Gambrel, Gatling, Goodwyn, Gore, Gullick, Grayson, Hargrove, Henderson, Hinnant, Justice, Lucas, Martin, McCauley, Mills, Paylor, Powell, Reavis, Reid, Regan, Robbins, Shull, Smith of Anson, Stanford and Womack—34.

Noes—Messrs. Ashe, Atwater, Brooks, Bunn, Dickey, Drake, Dudley, Ellison, French, Guyther, Houston, Hill, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelsey, Luckey, Maxwell, Morris, Newsom, Nicholson, Phillips, Rankin, Robinson, Smith of Wayne, Tomlinson, Withers, Willis and Williamson—31.

Mr. Darden moved to reconsider the vote which tabled the motion and motion prevailed, and motion to table motion to reconsider, did not prevail. The question recurring on motion to reconsider, it prevailed, and Mr. Jones moved to amend by striking out in section 1 the words "Yadkin Spring" and insert "Fairview," which was adopted, and bill passed third reading.

S. B. on second reading, to authorize tax collectors to collect taxes remaining due in same manner as sheriffs, was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. Mills, the rules were suspended and H. B. to incorporate the Newtonian Society at Rutherford College, was taken up and passed second and third readings and ordered engrossed.

S. B. on second reading, a bill to allow transfer of suits in certain cases, was taken up and, on motion, laid on the table.

On motion of Mr. Jordan, the rules were suspended and bill

for the better government of the Penitentiary, was taken up and made special order for Monday next at 10½ a. m.

On motion of Mr. Kelsey, the rules were suspended and bill to require notice of application for change of county lines, was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Williamson, bill to incorporate the Louisburg Manufacturing Company was taken up and passed second and third readings and ordered engrossed.

H. B. on third reading, to prevent the felling of trees in Carraway Creek, in Randolph county, was taken up and passed. Ordered engrossed.

Mr. Ashe, by consent, reported from Finance Committee, a substitute o bill in favor of B. K. and G. W. Dickey. On calendar.

On motion of Mr. Mills, bill "to regulate voting in districts where county lines have been changed," was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Dickey, H. B. in relation to obstructions in Nottaleh and Hiawassee rivers was taken up and amendment reported from committee adopted, and bill passed second and third readings and ordered engrossed.

On motion of Mr. Ashe, H. B. 505, bill to incorporate Wilmington and Charlotte Steamship Company, was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. McCauley, H. B. 448, a bill to provide for registration of satisfaction of mortgages and deeds of trust, was taken up, amendments reported by the committee were adopted, and on motion of Mr. Maxwell, made special order for Wednesday at 12 o'clock.

Mr. Stanford moved to adjourn. Motion lost.

Leave of absence was granted Mr. Williamson for one day.

H. B. on second reading, a bill to amend an act creating a Mechanics and Laborer's Lien Law was taken up, and on motion, laid on the table.

Mr. Martin moved to adjourn. Motion did not prevail.

H. B. on second reading, a bill to regulate appeals from justices court in certain cases was taken up and recommitted to judiciary committee.

H. B. on second reading, to repeal an act to provide for holding municipal elections was taken up, and, on motion, indefinitely postponed.

H. B. on second reading, a bill to aid in completion of Buck Creek and Indian Grove Turnpike Road, was taken up, and

On motion of Mr. Phillips, laid on the table.

H. B. on second reading, a bill to enlarge the powers of township commissioners was taken up and passed second reading.

H. B. on second reading, a bill concerning the town of Lumberton, was taken up, and

On motion of Mr. Regan, laid on the table.

Mr. Martin moved to adjourn, which motion prevailed.

SATURDAY, March 11th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Hardy of the House.

The journal of yesterday was read and approved.

A message was sent transmitting engrossed bills, H. B. 547, to incorporate the Oxford and Henderson Railroad Company; H. B. 545, to incorporate the town of Carey; H. B. 312, to change the time for holding the courts of New Hanover county; H. B. 499, to incorporate the town of Murphy; H. B. 186, a bill regulating the appointment of guardians *ad litem*, and asking concurrence in the same.

REPORTS OF COMMITTEES.

Mr. Withers, for Judiciary Committee, reported, asking discharge from consideration of H. B. 453, for protection of mechanics and laborers; unfavorably on H. B. 559, an act con-

cerning *venire* in civil cases; favorably on H. B. 519 to amend sections 266, 268, 269, 270 and 271, Code of Civil Procedure; unfavorably on H. B. 529, for the protection of destitute children; same on H. B. 550, to amend an act to suspend the Code of Civil Procedure in certain cases, and H. B. 90, to amend an act to lay off homestead and personal property exemption.

INTRODUCTION OF RESOLUTIONS.

By Mr. Grayson, a resolution to favor immigration. Referred.

By Mr. Withers, a resolution calling on Treasurer for information. Placed on the calendar.

By Mr. Martin, a resolution asking resignation of Hon Z. B. Vance. On calendar.

Mr. McCauley, by consent, reported from Committee on Counties, Towns, &c., favorably on bill to establish boundary between Granville and Person counties.

INTRODUCTION OF BILLS.

By Mr. Jordan, a bill referring to unpaid taxes in several counties, appointing tax collectors. Referred to finance committee.

By Mr. Clinard, a bill to amend chap. 137 of laws of 1868–'9. Referred to judiciary committee.

By Mr. Wilcox, a bill regarding amnesty for offences committed between 1860 and 1865. Referred to judiciary committee.

By Mr. Fletcher, a bill in reference to collection of arrearages of taxes. Referred to committee on propositions and grievances.

CALENDAR.

H. B. on third reading, a bill to repeal sec. 4, chap. 14, of

laws of 1869-'70, was taken up, and on motion of Mr. Crawford, indefinitely postponed.

On motion of Mr. Marler, the bill to extend the time to George Nix, late sheriff of Yadkin, to settle with Public Treasurer, was taken up and passed second reading, when

Mr. Jordan moved to amend by inserting the name of Joseph Pointer, sheriff of Person. Adopted.

Mr. Anderson, by inserting G. G. Bristoll, tax collector of Clay. Adopted, and bill passed third reading.

On motion of Mr. Withers, resolution introduced by himself to-day, asking information from Public Treasurer, was taken up and passed.

H. B. on third reading, to authorize commissioners of Onslow to levy a special tax, was taken up and passed. Ayes 60; Noes 4.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Bryson, Bunn, Cawthorn, Carson, Clinard, Collis, Crawford, Currie, Darden, Dickey, Drake, Fisher, French, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Guyther, Hargrove, Hardy, Hill, Hinnant, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelsey, Kincade, Lassiter, Loftin, Marler, Maxwell, McAfee, McAllister, Morris, Mills, Nicholson, Phillips, Paylor, Powell, Robbins, Scott, Shull, Smith of Anson, Stanford, Tucker, Tomlinson, Waring, Withers, Wilcox and Young of Wake—60.

Noes—Messrs. Dudley, Faulkner, Justice and Sykes—4.

H. B. on third reading, bill to enlarge the powers of county commissioners was taken up.

Mr. Darden moved to lay on the table. Motion failed, and on motion, bill was re-placed on calendar.

H. B. on second reading, a bill concerning elections and registrations, repealing sec. 14 of an act of 1869-'70, was taken up, and on motion of Mr. Joyner, laid on the table.

H. B. on second reading, to authorize levy of a special tax in Lenoir county, was taken up and passed. Ayes 43; Noes 26.

Ayes—Messrs. Brooks, Bryan of Jones, Bryson, Bunn, Cawthorn, Carson, Chamberlain, Collis, Darden, Ellison, Faulkner, Fisher, Fletcher, French, Gambrel, Garrison, Gatling, Grayson, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Caldwell, Justice, Loftin, Lucas, Maxwell, McAfee, McAllister, McCauley, Morris, Newsom, Page, Phillips, Reavis, Robbins, Scott, Stanford, Tucker, Waring, Willis, Wilcox and Young of Wake—43.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bryant of Halifax, Clinard, Crawford, Dickey, Dudley, Gore, Gullick, Hill, Hinnant, Joyner of Johnston, Joyner of Pitt, Kelsey, Kincade, Lassiter, Marler, Mills, Nicholson, Paylor, Powell, Shull, Smith of Halifax and Tomlinson—26.

On motion of Mr. Jones, bill to repeal an act to extend corporate limits of the town of Rutherford was taken up.

Mr. Justice called the ayes and noes on motion to recede from House amendment. The call was sustained, and House refused to recede. Ayes 13; Noes 48.

Ayes—Messrs. Armstrong, Henderson, Hill, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, McAfee, Mills, Nicholson, Stanford, Waring, Withers and Wilcox—13.

Noes—Messrs. Ashe, Bryant of Halifax, Bryan of Jones, Bunn, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Guyther, Hargrove, Hardy, Hinnant, Justice, Lassiter, Loftin, Marler, Maxwell, McAllister, McCauley, Morris, Morgan of Wake, Page, Phillips, Paylor, Powell, Shull, Smith of Anson, Smith of Halifax, Tucker, Tomlinson, Willis Womack and Young of Wake—48.

Leave of absence was granted to Mr. Withers for four days, and to Mr. Mabson for one day.

On motion of Mr. Jones, of Caldwell, the House agreed to appointment of a committee of conference on bill to repeal act to incorporate the town of Rutherford. Messrs. Jones, of

Caldwell, Justice, Collis, Carson and Hill were appointed House branch of committee.

A message was received from the Senate transmitting resolution No. 579, in favor of James H. Moore, and asking concurrence in the same.

On motion of Mr. Waring, the resolution was considered and passed second and third readings re-considered and ordered enrolled.

Mr. Robinson, from Committee on Enrolled Bills, reported S. R. in favor of Jas. H. Moore, as correctly enrolled and it was ratified.

S. R. on second reading, resolution in favor of Benj. A. Howell, late sheriff of Robeson county, was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. Jordan, H. R. 251, in relation to absent members, was taken up and failed to pass for want of a quorum.

Mr. Nicholson renewed the motion to pass, and called the ayes and noes.

Mr. Phillips moved to strike out the word "sickness" and insert "indisposition," withdrawn, and resolution passed.

Mr. Jordan, by consent, reported a substitute for S. B. 482, in relation to duties of Keeper of the Capitol.

Mr. Robinson, from Committee on Enrolled Bills, reported an act to amend sec. 47, chap. 93, laws of 1868–'69; an act to authorize tax collectors to collect taxes remaining due and unpaid; an act to repeal chap. 46, laws of 1868–'9, and chap 131 laws of 1869–'70 of Revised Code rule; an act providing for the support of the Insane Asylum for the next fiscal year; an act to incorporate the Trustees of Augsburg Male and Female Academy; an act to empower the Commissioners of the town of Tarboro to levy a tax; and they were ratified.

S. B. on second reading, to authorize issue of bonds by Commissioners of Chatham was taken up, and on motion of Mr. Womack, laid on the table.

S. R. 403, on second reading, regarding printing of a bill was taken up, amended and passed.

S. R. on second reading, regarding printing a bill was taken up and amended by inserting "Telegram," and passed.

S. R. on second reading, resolution regarding State's interest in corporations was taken up, and on motion, laid on the table.

H. B. on second reading, in reference to salary of Code Commissioners, was taken up and recommitted.

S. R. 403, was, on motion of Mr. Lottin, reconsidered to print act suspending Code of Civil Procedure, and laid on the table.

H. B. on second reading, to extend powers of Commissioners of Richmond county, passed second and third readings and ordered engrossed.

H. B. on second reading, a bill in relation to townships, was taken up, and on motion, laid on the table.

H. B. on second reading, in favor of B. N. & George W. Dickey, was taken up and replaced on calendar.

On motion of Mr. Stanford, bill to compel sheriffs to settle taxes was taken up, and on motion of Mr. Hargrove, made special order for 12½ p. m., Tuesday next.

Mr. Lucas, by consent, introduced a bill to appoint a weigher of grain and cotton in the city of Newbern. Referred to committee on propositions and grievances.

When bill in favor of B. K. and G. W. Dickey was taken up, and on motion, laid on the table.

When resolution in favor of the same was considered and resolution reported by committee as substitute for original was adopted and passed second reading. Ayes 44; Noes 18.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Bryson, Cawthorn, Clinard, Collis, Currie, Ellison, Fisher, French, Garrison, Gore, Grayson, Hardy, Henderson, Hill, Johnston of Buncombe, Joyner of Pitt, Jordan, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Maxwell, McAllister, McCauley, Morris, Mills, Nicholson, Phillips, Paylor, Robin-

son, Shull, Smith of Anson, Stanford, Waring, Welch, Wilcox, and Womack—44.

Noes—Messrs. Bryan of Jones, Bunn, Chamberlain, Darden, Dudley, Faulkner, Fletcher, Furr, Gambrel, Gatling, Gullick, Guyther, Hargrove, Justice, Loftin, Marler, Page, Smith of Halifax and Willis—18.

Mr. Ashe, by consent, reported from Finance Committee, a substitute to bill for relief of the Treasury.

Mr. Loftin moved to adjourn. Motion lost.

Mr. McCauley introduced a bill to extend the provisions of the homestead and personal property exemption law. Referred to judiciary committee.

When on motion of Mr. Hargrove, the House adjourned.

MONDAY, March 13th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Dr. Atkinson, of the city.

The journal of Saturday was read and corrected.

REPORTS OF COMMITTEES.

Mr. Clinard, from Committee on Engrossed Bills, reported as correctly engrossed, H. B. 258, a bill to be entitled an act requiring notice of any proposed application to the General Assembly for a change of county lines.

H. R. 251, joint resolution concerning attendance of members;

H. B. 505, a bill to be entitled an act to incorporate the Wilmington and Charlotte Ocean Steamship Company, and for other purposes.

H. B. 539, a bill authorizing commissioners of Onslow to levy a special tax;

H. B. 79, a bill for extending the powers of the county commissioners of Richmond county;

H. B. 514, a bill to be entitled "an act to incorporate the Waynesville Academy Association."

H. B. 536, a bill to be entitled "an act to authorize the commissioners of Harnett county to levy a special tax, and for other purposes."

H. B. 11, concerning the annexation of a portion of Caldwell county to the county of Watauga.

H. B. 246, a bill to be entitled "an act to amend sections 8 and 29, chapter 3, of an act of proceedings in criminal cases," laws of 1868 and 1869.

H. B. 368, concerning the election of commissioners of Navigation and Pilotage for the port of Beaufort.

H. B. 428, an act to fix the capital stock of the Fairfield Canal and Turnpike Company.

H. B. 367, to regulate the right of voting in cases where county lines have been changed.

H. B. 376, to authorize commissioners of Mitchell to levy a special tax.

H. B. 554, to authorize Albemarle and Swamp Land Company to construct a Railroad.

H. B. 339, concerning constables.

H. B. 517, extending the time to Geo. Nix, sheriff of Yadkin, to settle with the Public Treasurer, and engrossed amendments to S. B. 293.

RESOLUTIONS.

By Mr. Marler, a resolution regarding private bills and resolutions. On calendar.

By Mr. Garrison, a resolution regarding two sessions daily. On calendar.

By Mr. Gregory, a resolution recalling absent members. On calendar.

By Mr. Shull, a bill to construct a road through Wilkes and

Watauga counties. Referred to committee on internal improvements.

Mr. Welch was reported absent on account of sickness.

CALENDAR.

On motion of Mr. Jordan, special order being a bill for the better government of the Penitentiary, was made special order for Friday next at 12 m.

On motion of Mr. Wilcox, the rules were suspended and H. B. to lay out and construct a road in Ashe county, was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Johnson, of Buncombe, H. B. to amend an act to suspend the Code of Civil Procedure was taken up, and on motion of Mr. Joyner, of Johnston, laid on the table.

On motion of Mr. Justice, the rules were suspended to take up a bill. Passed over.

H. B. on second reading, a bill to amend an act to lay off homestead and personal property exemption, was taken up and report of committee that it do not pass. Concurred in.

H. B. on second reading, a bill regarding elections was taken up and, on motion, indefinitely postponed.

On motion of Mr. Jones, of Caldwell, H. B. 420, on second reading, authorizing levy of a special tax in Caldwell county, was taken up, proviso reported by committee adopted, and bill passed second reading. Ayes 59 ; Noes 5.

Ayes—Messrs. Anderson, Armstrong, Brooks, Bryant of Halifax, Bryson, Bunn, Carson, Clinard, Collis, Copeland, Currie, Darden, Ellison, French, Furr, Gambrel, Garrison, Gore, Grayson, Guyther, Hargrove, Hardy, Henderson, Hill, Johnson of Edgecombe, Jones of Caldwell, Joyner of Pitt, Jordan, Kelsey, Kincade, Lassiter, Loftin, Lucas, Luckey, Martin, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Mills, Nicholson, Powell, Robbins, Robinson, Shull, Smith of Anson, Smith of Halifax,

Stanford, Stewart, Tomlinson, Waring, Willis, Wilcox, Womack, Woodhouse and Young of Wake—59.

Noes—Messrs. Atwater, Bryan of Jones, Faulkner, Fletcher and Reavis—5.

On motion of Mr. Gregory, resolution in regard to absentees was taken up and amended by inserting "after Monday next."

Mr. Gregory called the previous question. The call was sustained and resolution was adopted.

Mr. Henderson, from Committee on Corporations, reported favorably on bill to incorporate Wilmington Co-operative Railway Association.

On motion of Mr. Jordan, resolution regarding keys of the Capitol was taken up, and replaced on Calender.

H. B. on second reading, bill repealing act in relation to *per diem* and mileage was taken up and, on motion, indefinitely postponed.

On motion of Mr. Marler, H. B. in relation to relieving administrators and executors from the guilt of *devastavit* was taken up, and on motion, indefinitely postponed.

H. B. on second reading, a bill concerning county commissioners, was taken up and, on motion, indefinitely postponed.

Mr. Robinson reported from Committee on Enrolled Bills, as correctly enrolled, resolution in favor of Benj. Howell, of Robinson county, and it was ratified.

Mr. Ashe, from Finance Committee, reported amendments and additional section to H. B. 543, an act to amend an act to provide for the collection of taxes, &c.

H. B. on second reading, a bill in favor of G. W. Webb, sheriff of Cleaveland county, was taken up, and on motion, indefinitely postponed.

H. B. on second reading, a bill to declare certain roads in Jackson county public roads, was taken up and passed second reading.

On motion of Mr. Jordan, H. B. 532 was taken up and recommitted to judiciary committee.

On motion of Mr. Ashe, the rules were suspended and H. B.

523 was taken up, and substitute reported by the Finance Committee was,

On motion of Mr. Robinson, and under call for the ayes and noes, laid on the table. Ayes 63; Noes 6.

Ayes—Messrs. Armstrong, Atwater, Brooks, Bryant of Halifax, Cawthorn, Carson, Chamberlain, Clinard, Collis, Currie, Darden, Dickey, Drake, Ellison, Faulkner, Fletcher, French, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Harris of Franklin, Hargrove, Hardy, Henderson, Hill, Jones of Caldwell, Jordan, Kelsey, Kincade, Lassiter, Loftin, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Mills, Newsom, Nicholson, Paylor, Powell, Robbins, Robinson, Shull, Smith of Anson, Smith of Halifax, Stewart, Tucker, Tomlinson, Waring, Wilcox, Womack, Woodhouse and Young of Wake—63.

Noes—Messrs Ashe, Bryson, Page, Phillips, Reavis and Stanford—6.

A message was received from the Senate transmitting S. R., to investigate the sale of the State's interest in the Cape Fear Navigation Company; S. B. 142, relative to the Western Turnpike Road; S. B. 434, an act to authorize commissioners of Anson to levy special tax; S. R. 572, in favor of J. R. Grady, sheriff; S. B. 255, to charter the Catawba Valley Railroad; S. B. 571, a bill to be entitled an act to submit the question of Convention or no Convention to the people, and to provide for the election of delegates; S. B. 409, to amend chap 93, sec. 14, of laws of 1868–'69, relative to widows' support; S. B. 327, a bill allowing executors and administrators to plead adew in certain cases, and asking concurrence therein.

Also, that the Senate had disagreed to House amendments to S. B. 243, a bill in relation to fees of county officers and the Supreme Court Clerk, and asks a committee of conference in relation thereto, designating Messrs. Love, Graham, of Orange, and King, as Senate branch of said committee.

Bill concerning a Convention was placed on the calendar.

Other bills and resolutions referred.

On motion of Mr. Johnston, of Buncombe, the rules were suspended and bill relating to Convention of the people was taken from the calendar, ordered printed and made special order for Monday next at 11 o'clock.

On motion of Mr. Ashe, bill to amend an act in relation to collection of taxes for revenue was taken up, and on motion, passed over.

H. B. on second reading, a bill concerning witnesses before justices courts, was taken up, and on motion, laid on the table.

Mr. Jones, of Caldwell, moved to reconsider the vote by which resolution concerning attendance of members, passed third reading. Motion failed for want of a quorum.

Mr. Jones renewed his motion and called the ayes and noes.

Mr. Nicholson moved to lay the motion on the table. Motion to table did not prevail for want of a quorum, and motion to reconsider prevailed. Ayes 41; Noes 36.

Ayes—Messrs. Brooks, Broadfoot, Bryant of Halifax, Bunn, Cawthorn, Collis, Copeland, Darden, Dudley, Faulkner, Fisher, Gambrel, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Caldwell, Joyner of Pitt, Justice, Loftin, Lucas, Luckey, Martin, Maxwell, McNeill, Morgan of Montgomery, Mills, Page, Phillips, Paylor, Reavis, Robbins, Scott, Smith of Halifax, Stewart, Sykes, Tucker, Waring, Willis, Williamson and Young of Wake—41.

Noes—Messrs. Anderson, Armstrong, Atwater, Bryson, Chamberlain, Clinard, Currie, Drake, Dunham, Fletcher, Furr, Gatling, Gore, Gullick, Grayson, Gregory, Henderson, Hill, Jordan, Kelly of Davie, Kincade, Lassiter, Marler, McAfee, McAllister, McCauley, Morris, Nicholson, Powell, Reid, Robinson, Shull, Smith of Anson, Stanford, Tomlinson, Wilcox and Womack—36.

Mr. Phillips moved to lay on the table, and motion prevailed.

H. B. on second reading, for relief of the penitentiary, was taken up and, on motion, laid on the table.

H. B. on second reading, to repeal section 16, of laws of 1868–'9, was taken up and, on motion, laid on the table.

H. B. to appoint an inspector and weigher for the port of Newbern, was taken up and, on motion, laid on the table.

H. B. on second reading, to construct a bridge across the Yadkin river, was taken up and, on motion, laid on the table.

H. B. 154, on second reading, a bill to pay the State debt, was taken up and, on motion, laid on the table.

H. B. on second reading, to punish bribery and corruption, was taken up and passed second and third readings and ordered engrossed.

H. B. on second reading, a bill to define and punish bribery, was taken up and passed second and third readings.

H. B. on second reading, regulating salaries for Governor and Treasurer of the State was taken up, and on motion, indefinitely postponed.

H. B. on second reading, for relief of the people of Craven was taken up. Motion of Mr. Willis to indefinitely postpone did not prevail, and bill, by consent, was passed over on the calendar.

H. B. on second reading, to repeal an ordinance of the Convention of 1868, appointing commissioners to prepare a Code of Civil Procedure was recommitted to judiciary committee.

H. B. to waive homestead execution in certain cases, was taken up and, on motion, recommitted to judiciary committee.

H. B. to appoint commissioners to visit the University, was taken up and, on motion, indefinitely postponed.

H. B. on second reading, in regard to payment of witnesses was taken up and, on motion, indefinitely postponed.

On motion of Mr. Jordan, the vote by which bill in relation to bribery and corruption (H. B. 154,) passed third reading was reconsidered, and bill indefinitely postponed.

H. B. on second reading, to amend title 19, chap. 11, section 478 of Code of Civil Procedure was taken up. Mr. Smith, of Anson, moved to indefinitely postpone. Motion lost, and bill passed second and third readings and ordered engrossed.

Mr. Loftin moved to adjourn, and motion prevailed.

TUESDAY, March 14th, 1871.

The House met at 10, A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Grayson of the House.

The journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. McAfee, from Committee on Education, reported favorably on S. B. 471, for the better protection of the Literary Fund, and S. B. 272, to be entitled an act in relation to the public lands.

Mr. McCauley, from Committee on Counties, Towns, &c., reported, asking discharge from consideration of H. B. 248, to change the line between the counties of Clay and Macon, and favorably on H. B. 562, authorizing commissioners of Hertford to levy a special tax.

Mr. Ashe, from Committee of Finance, reported unfavorably on petition of Jno. F. Parker, of Gates; unfavorably on resolution in favor of Hackney Pool.

Also, on H. B. 455, an act for relief of Walter L. Steel; same report on H. B. 551, a bill to ascertain the State debt and liquidate the same, and favorably on S. R. No. 377, resolution in favor of Erasmus D. Haynes.

Mr. Crawford, from Committee on Engrossed Bills, reported an act to amend chapter 11, section 478, of Code of Civil Procedure, as correctly engrossed.

Mr. McNeill, from Committee on Propositions and Grievances, reported favorably on S. R. 572, in favor of J. R. Graddy, sheriff, and on H. B. 565, to appoint an inspector and weigher of grain and cotton in Newbern, recommending that it do not pass.

Mr. Welch, from Committee on Internal Improvements, reported favorably on S. B. 142, an act in relation to the Western Turnpike road.

A message was sent to the Senate, transmitting bills reported from the Committee on Engrossed Bills on yesterday.

RESOLUTIONS INTRODUCED.

By Mr. Jordan. A resolution to raise a commission to investigate charges against Samuel Watts, judge of 6th judicial district. Placed on calendar.

By Mr. Collis. A resolution concerning adjournment. Placed on calendar.

BILLS.

By Mr. Gore. A bill to allow the commissioners of Columbus to levy a special tax. Read and referred to finance committee.

By Mr. Houston. A bill to authorize Superior Courts to grant divorce in certain cases. Read and referred to judiciary committee.

By Mr. Ashe. A bill concerning Clerks of the Superior Courts, read and referred to judiciary committee.

By Mr. Carson. A bill to authorize commissioners of Alexander to levy a special tax. Read and referred to committee on finance.

CALENDAR.

H. B. on second reading, a bill for relief of the people of Craven county, was taken up and passed second reading.

On motion of Mr. Stanford, resolution reported from the committee in favor of B. K. and G. W. Dickey, was taken up and, under call for the ayes and noes, passed third reading. Ayes 46; Noes 33.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Buxton, Cawthorn, Carson, Currie, Drake, Fisher, Fletcher, French, Garrison, Gore, Grayson, Henderson, Hill, Johnston of Buncombe, Joyner of Pitt, Jordan, Kelsey,

Kincade, Lucas, Luckey, Maxwell, McAfee, McAllister, McNeill, Morris, Mills, Mitchell, Nicholson, Paylor, Powell, Robinson, Smith of Anson, Stanford, Stewart, Sykes, Waring, Welch, Wilcox, Womack and Young of Yancey—46.

Noes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Chamberlain, Copeland, Dudley, Faulkner, Gambrel, Gatling, Goodwyn, Guyther, Harris of Franklin, Hargrove, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Justice, Kelly of Davie, Lottin, Marler, McCauley, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Reavis, Robbins, Shull, Smith of Halifax, Willis, Woodhouse and York—33.

On motion of Mr. Ashe, the special order being a series of resolutions in regard to the Governor's message and Convention bill, was made special order for Wednesday week.

The following announcement was ordered from the chair:

House branch of Conference Committee on bill relating to salaries and fees of County officers—Messrs. Houston, French, Stanford, Harris of Franklin and Chamberlain.

On motion of Mr. Ashe, the rules were suspended and substitute to bill to be entitled an act to amend an act entitled an act to provide for the collection of taxes, ratified the 28th day of March, 1870, was taken up and read by sections.

Section 1, paragraph 1, was read and adopted.

Paragraph 2 was read, and Mr. Justice moved to strike out one and insert two, and called the ayes and noes.

Mr. Robinson moved to amend by inserting three instead of one, both withdrawn, and Mr. Justice moved to reject the section and called the ayes and noes.

Mr. Mills moved to amend by striking out one and insert twenty-five, and called the ayes and noes, amendment withdrawn and called the ayes and noes on adoption of paragraph 2, proposed by committee. The call was sustained and paragraph was not accepted. Ayes 19; Noes 65.

Ayes—Messrs. Ashe, Bryant of Halifax, Bunn, Chamberlain, Darden, Fletcher, Gore, Guyther, Henderson, Hinnant.

Johnson of Edgecombe, Kelsey, McCauley, Morris, Standford, Womack and Woodhouse—19.

Noes—Messrs. Anderson, Armstrong, Atwater, Brooks, Bryan of Jones, Buxton, Cawthorn, Carson, Clinard, Collis, Copeland, Crawford, Dudley, Ellison, Faulkner, Fisher, French, Furr, Gambrel, Gatling, Goodwyn, Gullick, Grayson, Hargrove, Houston, Hill, Jones of Caldwell, Jones of Northampton, Joyner of Pitt, Justice, Lassiter, Loftin, Luckey, Lyon, Marler, Maxwell, McAfee, McAllister, Morgan of Montgomery, Morgan of Wake, Mills, Newsom, Nicholson, Nisson, Rankin, Reavis, Robbins, Robinson, Shull, Smith of Halifax, Stewart, Sykes, Tucker, Tomlinson, Waring, Willis, Wilcox, Young of Wake, Young of Yancey and York—65.

When Mr. Jones, of Caldwell, moved a substitute for section 11 of present law. Motion pending, when the House, for consideration of the special order having arrived,

Mr. Justice moved to postpone consideration till matter in hand is disposed of. Motion did not prevail, and special order being bill to change the line between Bladen and Columbus counties was taken up.

Mr. Fisher, moved to lay on the table, and motion prevailed.

When Mr. Chamberlain moved to recommit bill in relation to taxes (unfinished business) to Committee on Finance, and motion prevailed.

The hour for consideration of third special order having arrived, it was, on motion of Mr. McNeill, postponed for consideration of S. R. in favor of J. R. Graddy, sheriff of Robeson, which was taken up and passed second and third readings and ordered enrolled.

A message was received from the Senate transmitting S. B. in relation to convicts, and asking concurrence; bill placed on the calender and, on motion of Mr. Womack, was taken up for consideration and passed second and third readings and ordered enrolled.

On motion of Mr. Jordan, special order was further suspended and resolution to raise a commission to examine into charges

against Judge Watts was taken up, and Mr. Jordan called the previous question, and the ayes and noes on passage of the resolution. The call was sustained and resolution passed. Ayes 74; Noes 10.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Bryson, Clinard, Crawford, Currie, Darden, Dickey, Drake, Faulkner, Fisher, French, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Hill, Hinnant, Jones of Caldwell, Jones of Northampton, Joyner of Pitt, Jordan, Justice, Kelsey, Kincade, Lassiter, Loftin, Lucas, Luckey, Lyon, Mabson, Marler, Maxwell, McAfee, McCauley, McNeill, Morris, Morgan of Wake, Mills, Mitchell, Newsom, Nicholson, Nisson, Page, Phillips, Paylor, Powell, Reavis, Robinson, Shull, Smith of Anson, Stanford, Stewart, Sykes, Tucker, Tomlinson, Waring, Wilcox, Womack, Woodhouse, Young of Wake, Young of Yancey and York—74.

NOES—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Collis, Copeland, Dudley, Ellison, Smith of Halifax and Willis—10.

On motion of Mr. Powell, special order was further postponed, and vote by which bill in relation to convicts passed third reading was reconsidered and motion laid on the table.

Third special order, bill to enforce payment of taxes by sheriffs, was taken up.

Mr. French in the chair.

Substitute reported by committee was adopted, when Mr. Jordan moved to amend by inserting as section 3, making commissioners who accept insufficient bond of sheriff, amenable to punishment for misdemeanor. Motion lost for want of a quorum.

Mr. Jordan renewed the motion and called the ayes and noes. The call was sustained and amendment was withdrawn,

When Mr. Anderson moved to strike out in section 1 "twenty" days and insert "fifty" days. Amendment was

not adopted and bill passed second reading, when Mr. Justice moved to strike out "20" and insert "30." Amendment lost.

Mr. Hargrove, to amend providing for the publication of the act for twenty days in two papers in Raleigh. Amendment was adopted and bill passed third reading and ordered engrossed.

On motion of Mr. Jones, of Caldwell, bill to authorize levy of a special tax in Caldwell county was taken up on third reading and passed. Ayes 55; Noes 5.

AYES—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Bryson, Carson, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Fisher, Furr, Gambrel, Gore, Grayson, Guyther, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hill, Johnson of Edgecombe, Jones of Caldwell, Joyner of Pitt, Kincade, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, Morris, Morgan of Montgomery, Mills, Newsom, Nicholson, Page, Phillips, Powell, Robbins, Robinson, Shull, Smith of Anson, Stewart, Tucker, Tomlinson, Wilcox and York—55.

NOES—Messrs. Dudley, Faulkner, Justice, Loftin and Smith of Halifax—5.

By permission, Mr. Loftin introduced a resolution authorizing publication of an act in relation to convicts, which, under suspension of the rules, was considered and adopted and ordered engrossed.

On motion of Mr. Wilcox, H. B. 519, to amend sections 268, &c., of Code of Civil Procedure was taken up and passed second and third readings and ordered engrossed.

Mr. Phillips, by consent, introduced a resolution requiring the printing of the proceedings of impeachment trial, one hundred and fifty copies which, by consent, was withdrawn, and on motion of Mr. Darden, the House adjourned.

WEDNESDAY, March 15th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Mason of the city.

The reading of the journal of yesterday, was on motion dispensed with.

REPORTS OF COMMITTEES.

Mr. Welch, from Committee on Internal Improvements, reported favorably on H. B. 563, a bill to be entitled an act to charter the Newbern and Washington R. R. Company; S. B. 88, an act to transfer one million dollars of State stock to the A. & N. C. R. R. and to consolidate a portion of N. C. R. R. with A. & N. C. R. R.; on S. B. 255, a bill to charter the Catawba Valley R. Road; H. B. 452, to provide for the enlargement and completion of the Albemarle and Chesapeake Canal; and unfavorably on H. B. 504, a bill to be entitled an act to advance the agricultural interest of the State.

Mr. McCauley, from Committee on Counties, Towns, &c., reported favorably on H. B. 562, a bill to be entitled an act to authorize the commissioners of Hertford to levy a special tax.

Mr. Henderson, from Committee on Corporations, reported favorably on H. B. 540, to incorporate Republican Star Lodge, G. N. O. of O. F., Elizabeth City.; H. B. 533, to incorporate the Independent Order of Good Templars of Newbern, N. C.; H. B. 544, to incorporate Raleigh Farmers and Mechanics' Manufacturing Company; H. B. 552, to incorporate the First Building and Loan Association of Statesville, N. C.; S. B. 442, a bill to amend the charter for the town of Warrenton; S. B. 322, a bill to incorporate the Bank of Eastern North Carolina.

Messrs. Jordan, Phillips, McAfee, Hargrove and Stanford were announced as Committee to investigate charges against Judge Watts.

Mr. Jones, of Caldwell, rose to a question of privilege, and condemned, in positive terms, editorial of the *Sentinel* of this morning.

Mr. Ashe rose also to a question of privilege, condemning the general tenor of the same paper in reference to the General Assembly.

Mr. Crawford, from Committee on Engrossed Bills, reported as correctly engrossed, H. B. to incorporate the Naval Extension Railroad Company, and bill to construct a railroad from Kinston to Kenansville.

INTRODUCTION OF BILLS.

By Mr. Jordan. A bill in relation to the Superior Court Judges. Referred to judiciary committee.

By Mr. McAfee. A bill to be entitled an act to change certain alleys in the town of Shelby. Read and referred to committee on corporations.

CALENDAR.

Bill to authorize levy of a special tax in Hertford, was taken up and passed second reading. Ayes 71; Noes 2.

Ayes—Messrs. Armstrong, Ashe, Atwater, Brooks, Bryant of Halifax, Bryson, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Currie, Darden, Dickey, Drake, Dunham, Ellison, Fisher, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Grayson, Gregory, Harris of Guilford, Harris of Franklin, Hardy, Hill, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kelsey, Lassiter, Lucas, Marler, Maxwell, McAfee, McAllister, McCauley, Morris, Morgan of Montgomery, Mitchell, Newsom, Nisson, Page, Paylor, Reid, Robbins, Settle, Shull, Smith of Anson, Smith of Halitax, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker, Tomlinson,

Waring, Willis, Wilcox, Woodhouse, Young of Yancey and York—71.

Noes—Messrs. Dudley and Forkner—2.

On motion of Mr. Welch, S. B. 142, relative to the Western Turnpike Road, was taken up; and

Mr. Johnston moved an amendment in favor of citizens of Buncombe, which was adopted, and bill passed second reading; when

Mr. Morris moved to amend, providing that citizens of Henderson and Transylvania counties pay only half tolls, which was adopted, and bill passed third reading and ordered engrossed.

Mr. Robinson, from Committee on Enrolled Bills, reported as correctly enrolled an act in relation to convicts, and a resolution in favor of James R. Graddy, and they were ratified.

On motion of Mr. McAfee, bill to establish a new county of Trenton, was taken up and, on motion, indefinitely postponed.

Mr. Ashe, from Finance Committee, reported on H. B. 543, to amend an act to provide for the collection of taxes, recommending the passage of printed bill heretofore reported by committee which, on motion of the same, was considered by sections, and amendment to section 1, striking out the word "seventy" and inserting "seventy-one" was accepted, and section one was adopted.

Section 2 was read and adopted without amendment.

Section 3 was read and adopted without amendment.

Section 4 was read and adopted.

Section 5 was read and adopted.

Section 6 was read and adopted.

Section 7 was read and adopted.

Section 8 was read and adopted.

Section 9 was read and adopted.

Section 10 was read and adopted.

Section 11 was read, and Mr. Joyner moved to strike out "one hundred" and insert "three hundred" in paragraph 5, and motion prevailed.

Section 12 was read and adopted.
Section 13 was read and adopted.
Section 14 was read and adopted.
Section 15 was read and adopted.
Section 16 was read and adopted.
Section 17 was read and adopted.
Section 18 was read and adopted.
Section 19 was read and adopted.
Section 20 was read and adopted.
Section 21 was read and adopted.
Section 22 was read and adopted.
Section 23 was read and adopted.
Section 24 was read and adopted.

When Mr. Gregory moved to postpone further consideration of business under consideration for five minutes, which prevailed.

And Mr. Gregory moved that when this House adjourn, it do so to meet at 7½ o'clock this evening. The motion prevailed.

When Mr. Nicholson introduced a bill to incorporate the Statesville Air Line Railroad Company. Referred to committee on corporations.

Mr. Gregory then moved to adjourn.

Mr. Joyner, of Johnston, called the ayes and noes on motion to adjourn; the call was sustained and House adjourned. Ayes 40; Noes 39.

Ayes—Messrs. Anderson, Armstrong, Atwater, Brooks, Bryan of Jones, Bunn, Buxton, Chamberlain, Currie, Darden, Dudley, Ellison, Fletcher, French, Garrison, Gatling, Gregory, Guyther, Hargrove, Hardy, Houston, Jones of Northampton, Lucas, Lyon, Martin, McAllister, McCauley, Morgan of Wake, Nisson, Page, Paylor, Rankin, Robbins, Settle, Smith of Halifax, Smith of Wayne, Stanford, Tucker, Waring and Willis —40.

Noes—Messrs. Ashe, Bryson, Carson, Clinard, Collis, Crawford, Fisher, Furr, Gambrel, Gore, Gullick, Grayson, Hender-

son, Hill, Hinnant, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kelsey, Lassiter, Luckey, Marler, Maxwell, McAfee, Morris, Mitchell, Nicholson, Phillips, Powell, Reid, Robinson, Shull, Stewart, Tomlinson, Wilcox, Womack, Woodhouse and York—39.

EVENING SESSION.

March 15th, 1871.

The House was called to order pursuant to adjournment. Mr. French in the chair.

The reading of the journal of the morning was dispensed with.

Mr. Shull introduced a bill "to suppress games of chance, including the game of Keno." Referred to committee on propositions and grievances.

On motion of Mr. Crawford, bill "to amend the charter of the town of Salisbury was taken up," and amendment reported by the committee was adopted, striking out section 7.

Mr. Page moved to strike out 90 and insert 30 in section one, and called ayes and noes.

Mr. Johnston, of Buncombe, moved division of the question. Motion was withdrawn. The call for the ayes and noes was not sustained and amendment was not adopted.

Mr. Crawford called the previous question. The call was sustained and bill passed second reading.

Mr. Johnston of Buncombe, moved to suspend the rules to put the bill on third reading. Motion prevailed, and Mr. Johnston of Buncombe moved to strike out the word "white" wherever it occurs. Amendment was adopted.

Mr. Page moved to strike out $2.00 and insert $1.00, on the poll. Amendment did not prevail.

Mr. Crawford called the previous question on the third reading of the bill.

Mr. Dudley called the ayes and noes. The call was not sustained and the bill passed third reading. Reconsidered and ordered engrossed.

Mr. Waring, by consent, introduced a bill "to Charter of the City of Charlotte." Referred to committee on corporations.

Mr. McAfee, by consent, reported from Committee on Education, a substitute to H. B. 375, to amend an act to provide for a system of public instruction.

Unfinished business was taken up, being section 25 of H. B. 543, which was read and adopted.

Section 26 was read and adopted without amendment.

Section 27 was read and adopted without amendment.

Section 28 was read and adopted.

Section 29 was read and adopted.

Section 30 was read and adopted.

Section 31 was read, and Mr. Jones, of Caldwell, moved to amend by striking out "twenty-five" and inserting "fifteen" as per cent. for redemption of property sold for taxes. Amendment did not prevail, and the section was adopted.

Section 32 was read, and Mr. Anderson moved to amend by striking out in line ten, the word "five" and inserting "two," which did not prevail, and section was adopted without amendment.

When on motion of Mr. Welch, the vote by which bill in relation to the Western Turnpike road passed third reading, was reconsidered and bill passed third reading and ordered engrossed.

The unfinished business was resumed, and section 33 was read and adopted.

Section 34 was read, when Mr. Darden moved to amend by striking out in line two "September" and inserting "November," withdrawn, and section was adopted.

Section 35 was read, when Mr. Ashe moved to amend by inserting five per cent. commission on amount collected.

Section 36 was read and adopted.

Section 37 was read, and Mr. Ashe moved to amend by striking out in line eight, "five thousand" and inserting "one thousand." Also, in line eleven, insert after the word "Solicitor" "of the 6th judicial district." Also, by adding "if the sheriff shall fail to account as aforesaid, shall be guilty of misdemeanor and be fined and imprisoned at discretion of the court."

Section 38 was read and adopted.

Section 39 was read and adopted.

Section 40 was read and adopted.

Section 41 was read and adopted.

Section 42 was read and adopted.

When on motion of Mr. Ashe, some verbal errors were corrected, and on second reading of the bill as a whole, Mr. Robinson moved to strike out in section 26 the word "July" and insert "August."

Mr. Justice called the ayes and noes, the call was sustained and amendment prevailed. Ayes 60; Noes 30.

AYES—Messrs. Anderson, Armstrong, Atwater, Brooks, Broadfoot, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Darden, Dickey, Drake, Dudley, Dunham, Faulkner, Fletcher, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Hardy, Hinnant, Johnston of Buncombe, Joyner of Johnston, Joyner of Pitt, Justice, Kelly of Davie, Kelsey, Kincade, Loftin, Lucas, Marler, Maxwell, McAfee, McNeill, Mills, Nicholson, Powell, Robinson, Scott, Shull, Smith of Wayne, Sparrow, Stewart, Waring, Wilcox, Womack, Woodhouse and York—60.

NOES—Messrs. Ashe, Brown, Fisher, Furr, Goodwyn, Harris of Guilford, Hargrove, Houston, Hill, Jones of Caldwell, Jones of Northampton, Jordan, Lassiter, Luckey, Lyon, Mabson, Morgan of Montgomery. Mitchell, Newsom, Nisson, Page, Phillips, Paylor, Rankin, Reavis, Robbins, Settle, Smith of Anson, Smith of Halifax and Tomlinson—30.

Mr. Robinson moved to amend by striking out in line 2, section 34, 30th day of September and inserting 15th day of November. Amended by changing 15th of November, third Monday. Further amended by inserting first Monday in December, and amendment as amended was adopted.

Mr. Jones, of Caldwell, moved to strike out in section 11 the words "three hundred" and insert "twenty-five." Ruled out of order.

On motion of Mr. Ashe, section 27, 12th line, the words "at the first court" were stricken out, and in lieu thereof the words before the clerk thereof within ten days, were inserted.

Mr. Dunham moved to amend section 27. Motion withdrawn.

Mr. Johnston, of Buncombe, moved to adjourn.

Mr. Nicholson called the ayes and noes. The called was sustained, and the motion did not prevail.

Mr. Justice moved that when this House adjourn it do so at 12 o'clock.

Mr. Jones, of Caldwell, moved to amend by inserting 1 o'clock instead of 12.

When Mr. Marler moved to adjourn and the motion prevailed.

THURSDAY, March 16th, 1871.

The House met at 10 A. M., Mr. Speaker in the chair. Prayer by Rev. Mr. Grayson, of the House.

The reading of the journal of yesterday was, on motion, dispensed with.

REPORTS OF COMMITTEES.

Mr. Settle, from Committee on Claims, reported adversely

on resolution "in aid of the Rescue Steam Fire Engine Company."

Mr. Crawford, from Committee on Engrossed Bills, reported H. B. 578, "to construct a road in Ashe county;" resolution "in favor of G. W. and B. K. Dickey;" bill "to incorporate the Louisburg Manufacturing Company;" bill in relation "to obstructions in the Notaleh and Hiawasse rivers;" bill to amend "an act in relation to punishment of bribery;" bill to compel sheriffs "to settle taxes," and bill "to amend charter of Salisbury" as correctly engrossed.

Mr. Wilcox, from Committee on Claims, reported favorably on S. R. "in favor of W. W. and D. M. Watts."

Mr. Welch, from Committee on Internal Improvements, reported favorably on bill "to authorize Western Railroad Company to open navigation of Lower Little river; bill to change the method of appointing proxy and Directors for the State in North Carolina Railroad Company;" a bill to construct a road through Wilkes and Watauga counties.

Mr. McAllister, from Finance Committee, reported amendment to H. B. 583, to be entitled "an act to authorize commissioners of Alexander to levy a special tax," and favorably on H. B. 567, to be entitled "an act to appoint collectors of taxes for Wake, New Hanover, Wayne, Harnett, Wilson, Chatham, Buncombe, Bladen, Jackson and Johnston counties."

INTRODUCTION OF PETITIONS.

Mr. McNeill introduced a petition from citizens of Newbern against passage of bill to appoint an inspector and weigher of cotton and grain in the town of Newbern. Referred to committee on propositions and grievances.

Mr. Houston reported from Committee of Conference on bill "in relation to fees of county officers, &c.," recommending in general the House amendments to the bill.

INTRODUCTION OF RESOLUTIONS.

By Mr. Page, a resolution in regard to smoking. Read and placed on the calendar.

INTRODUCTION OF BILLS.

By Mr. Morgan, of Montgomery, a bill "in favor of P. C. Riley, sheriff of Montgomery." Read and referred to committee on propositions and grievances.

By Mr. McCauley, a bill "in regard to suits against Railroad Companies." Referred to committee on judiciary.

By Mr. McAfee, a bill "authoring commissioners of Cleaveland to issue bonds." Read and placed on calendar.

By Mr. Houston, a bill "concerning Ball's Creek Camp Ground." Referred to committee on corporations.

By Mr. Kincade, a bill referring to "incorporation Rocky Springs Camp Ground." Referred to committee on corporations.

Leave of absence was granted Mr. York for one week on account of sickness in family.

CALENDAR.

On motion of Mr. Martin, the rules were suspended and bill "to consolidate North Carolina and Atlantic and North Carolina Railroad," was taken up, ordered printed and made special order for Wednesday next at 11 o'clock.

On motion of Mr. Houston, bill "in relation to salaries and fees of county officers," was taken up, and report of the committee of conference was concurred in.

When a message was received from the Treasury Department in answer to resolution of inquiry regarding capitation tax. Referred to committee on finance.

A message was received from the Senate transmitting bill in "relation to arson and burglary."

Amendments engrossed to S. B. 408, H. B. 449, "to suppress secret political societies."

Also, information that the Senate had concurred in House amendments to bill requiring sheriffs to give notice of process; to H. B. 371, to repeal certain sections of an act of August 17th, 1868, to organize the militia, and H. R. 222, to request *Sentinel* to publish certain acts; also agreeing to appointment of conference committee on bill relating to town of Rutherford, designating Messrs. Whitesides, Merrimon and Hawkins as Senate branch,

When Senate amendments to H. B. 449, in regard to secret political societies were concurred in.

On motion of Mr. French, resolution in regard to stationery was taken up, when

Mr. Welch moved to lay on the table, and motion prevailed.

On motion of Mr. Nicholson, bill to authorize construction of a Turnpike Road from Statesville to Mount Airy, was taken up and amendment reported by committee adopted, and bill passed second and third readings and ordered engrossed.

Mr. McAfee moved to suspend the rules to take up H. B. 315. Not on calendar.

On motion of Mr. Dudley, bill to charter the Newbern and Washington Railroad Company, was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Newsom, bill to authorize commissioners of Hertford county to levy a special tax was taken up and passed third reading. Ayes 67; Noes 4.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Bryant of Halifax, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Darden, Dickey, Drake, Dunham, Ellison, Fisher, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Grayson, Gregory, Guyther, Hargrove, Hardy, Jones of Northampton, Joyner of Pitt, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Lucas, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, Morgan of Montgomery, Morgan of Wake, Mills, Newsom, Nisson, Page, Paylor, Powell, Rankin,

Reavis, Reid, Scott, Shull, Smith of Anson, Smith of Halifax, Stewart, Tucker, Tomlinson, Willis, Wilcox, Womack, Woodhouse and York—67.

Noes—Messrs. Foulkner, Hampton, Joyner of Johnston and Mitchell—4.

And ordered engrossed.

On motion of Mr. McAfee, bill authorizing commissioners of Cleaveland to issue bonds, was taken up, and passed second reading. Ayes 69; Noes 1.

Ayes—Messrs. Anderson, Armstrong, Atwater, Brooks, Bryant of Halifax, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Currie, Darden, Dickey, Drake, Ellison, Fisher, Fletcher, French, Gambrel, Garrison, Gatling, Goodwin, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Hill, Hinnant, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Lucas, Luckey, Martin, Maxwell, McAfee, McAllister, McCauley, Morgan of Montgomery, Morgan of Wake, Mills, Newsom, Nicholson, Nisson, Paylor, Powell, Rankin, Reid, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stewart, Tucker, Tomlinson, Wilcox, Womack, Woodhouse, Young of Yancey and York—69.

Noes—Mr. Brown—1.

Mr. Brown, by consent, introduced a bill with a memorial from citizens in favor of renewing an act incorporating Salem and High Point Plank Road. Referred to committee on internal improvements.

On motion of Mr. Ashe, bill in relation to provision for collection of taxes in the State was taken up, when Mr. Ashe, offered amendments changing the times mentioned in the bill, which were adopted.

Mr. Jordan moved to amend section 11, division 5, line 21, after the word "instruments" to insert the words "other personal property," which failed for want of a quorum; when

Mr. Page moved to postpone the unfinished business for two minutes. The motion did not prevail, no quorum voting.

Mr. Page moved to amend section 7, line 2, by striking out first Monday and insert second Monday. Amendment did not prevail; when

Mr. Mills moved to amend section 11, division 5, after the word instruments to insert "household and kitchen furniture." Motion did not prevail, and bill passed third reading and ordered engrossed; when

Mr. Gregory moved that when this House adjourn, it do so to meet at 7½ o'clock to night. Motion withdrawn.

Mr. Robinson, from Committee on Enrolled Bills, reported as correctly enrolled, an act to prevent the felling of trees into Little River.

An act to incorporate the Hiawassee and Cheoah Turnpike Company;

An act to amend the charter of the Cheoah Turnpike Company;

An act to annex a part of Rutherford county to Burke county;

An act to provide for the appointment of a Commissioner of Wrecks in Hyde county;

An act to change the line between the counties of Wilkes and Alleghany;

And a resolution in favor of W. J. A. Strange, of Cherokee, and they were ratified.

Mr. Currie, from Committee on Corporations, reported on bill to incorporate the Statesville Air Line Railroad, favorably with amendments.

On motion of Mr. Marler, H. R. 271, in regard to private bills and resolutions was taken up.

When Mr. Robinson moved to lay the resolution on the table, and the motion prevailed.

S. B. on second reading, a bill to be entitled an act to charter the Catawba Valley Railroad, was taken up and passed second and third readings, and ordered enrolled.

On motion of Mr. Jordan, bill to appoint an inspector and weigher for the city of Raleigh, was taken up.

Mr. Justice moved to lay bill on the table. Withdrawn, and Mr. Tucker renewed the motion to table which did not prevail.

Mr. French moved to strike out section 7 of the substitute for the bill, and motion prevailed. The substitute reported by the committee was, as amended, adopted.

On motion of Mr. French, sec. 4 was amended by striking out "shall" and inserting, "when required."

Mr. Mabson moved to strike out the proviso in section two. Not adopted.

When Mr. Jordan called the previous question, and moved to insert a ratifying clause which was adopted.

When Mr. Brown called the ayes and noes on passage of the bill. The call was sustained and bill passed. Ayes 63; Noes 19.

Ayes—Messrs. Armstrong, Ashe, Atwater, Brooks, Broadfoot, Buxton, Clinard, Collis, Crawford, Drake, Dunham, Ellison, Fisher, French, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Harris of Guilford, Hargrove, Hardy, Houston, Hill, Hinnant, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Lucas, Luckey, Lyon, Mabson, Marler, Maxwell, McAfee, McAllister, Mills, Mitchell, Nicholson, Phillips, Paylor, Powell, Rankin, Reavis, Reid, Shull, Smith of Anson, Smith of Wayne, Sparrow, Sykes, Tomlinson, Waring, Willis, Wilcox and Womack—63.

Noes—Messrs. Brown, Bryant of Halifax, Bunn, Cawthorn Carson, Currie, Darden, Faulkner, Furr, Gatling, Guyther, Hampton, Johnson of Edgecombe, Martin, McNeill, Morgan of Montgomery, Smith of Halifax, Stewart and York—19.

A message was received from the Senate transmitting S. R. 323, in favor of James H. Ennis. Referred to committee on claims.

S. B. to incorporate Christ Church Relief Society of Newbern. Referred to committee on corporations.

S. B. to incorporate the Building and Loan Association, of Asheville. Referred to committee on corporations.

S. R. 447, in favor of Henry Biggs. Referred to committee on claims.

S. B. 351, to incorporate the town of Kenansville in Forsythe county, and returning H. B. 232, S. B. 390, to authorize the commissioners of Macon county to levy a special tax, with engrossed amendments to bill.

Also, reporting that the Senate had concurred in House amendments to bill to amend chap. 160, laws of 1868–'69, and in report of the Committee of Conference on H. B. 296, S. B. 243, in relation to salaries of county officers.

When Senate amendment to H. B. 332, to suppress secret political societies, was concurred in, and bill ordered enrolled; and Senate amendments to H. B. 488, to authorize commissioners of Macon county to levy a special tax was concurred in, and bill ordered enrolled.

On motion of Mr. Dunham, bill to appoint an inspector and weigher of grain and cotton in Newbern, was taken up, and on motion, laid on the table.

On motion of Mr. Ashe, S. R. in favor of Erasmus D Haynes, was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. Hill, H. B. 552, to incorporate the First Building and Loan Association of Statesville, was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Sparrow, S. B. 332, to incorporate the bank of Eastern North Carolina was taken up, amended and passed second and third readings.

On motion of Mr. Sykes, H. B. to incorporate Republican Star Lodge 1384, G. N. O. of O. F., was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Chamberlain, H. B. to incorporate N. C. Fishing and Stock Raising Company, was taken from the table, when Mr. Chamberlain moved a proviso not relieving any persons from pains and penalties for shooting wild fowls in Currituck. Amendment was adopted, and bill passed second and third readings and ordered engrossed.

On motion of Mr. Nicholson, H. B. 586, to incorporate Statesville Air Line Railroad, was taken up and passed over for the present.

H. B. to incorporate the Wilmington Railway Co-operative Association, was taken up and passed second and third readings and ordered engrossed.

When bill to incorporate the Statesville Air Line Railroad Company was taken up, and amendment reported by the committee of internal improvements was adopted, and bill passed second and third readings and ordered engrossed.

On motin of Mr. McAfee, bill to amend chap. 106, of laws of North Carolina passed in 1869–'70, in relation to the Shelby and South Carolina Railroad was taken up and passed second reading. Ayes 58; Noes 6.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Carson, Clinard, Collis, Currie, Dickey, Drake, Dunham, Ellison, Faulkner, Fisher, Fletcher, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Houston, Hill, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Loftin, Lucas, Marler, Maxwell, McAfee, McAllister, Morgan of Wake, Mills, Newsom, Nicholson, Phillips, Paylor, Rankin, Reid, Robinson, Shull, Smith of Anson, Smith of Halifax, Sparrow, Willis, Wilcox, Womack and York—58.

Noes—Messrs. Brown, Hargrove, Hardy, Johnson of Edgecombe, Lyon and Reavis—7.

Mr. Justice introduced a resolution concerning committee on constitutional reform.

Mr. Mills, a bill to be entitled an act to remove restrictions on contracts. Read and referred to committee on finance.

When, on motion, the House adjourned.

FRIDAY, March 17th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Collis of the House.

Reading of the journal of yesterday was, on motion, dispensed with.

A message was sent to the Senate transmitting and asking concurrence in the passage of H. B. 560, a bill "to be entitled an act to amend the charter of the town of Salisbury;" H. B. 570, a bill "to be entitled an act to compel sheriffs to settle public taxes;" H. B. 156, to be entitled "an act to amend an act ratified 10th of April, 1869, an act to punish bribery;" H. B. 528, "in relation to obstructions in the Notaleh and Hiawassee rivers; H. B. 336, "to incorporate the Louisburg Manufacturing Company;" H. R. 239, "in favor of B. K. and Geo. W. Dickey," and H. B. 518, "an act to construct a road in Ashe county."

Mr. Broadfoot, from Committee on Corporations, reported favorably on S. B. 575, "to incorporate Christ Church Relief Society;" H. B. 597, "concerning Rock Spring Camp Ground, in Lincoln county;" S. B. 404, "to incorporate the Building and Loan Association of Asheville," and on H. B. 591, "a bill to be entitled an act concerning Ball's Creek Camp Ground in Catawba county, and to incorporate a new Board of Trustees of the same."

Mr. Martin, from Committee on Counties, Towns, &c., reported, asking reference of S. B. 351, "a bill to be entitled an act to incorporate the town of Kernersville, in Forsyth county, to committee on corporations, which was so referred by consent, and favorably on S. B. 434, "a bill entitled an act to authorize commissioners of Anson to levy a special tax."

Mr. Scott, from Committee on Claims, reported in favor of resolution "in favor of heirs of Wm. J. Lougee."

Mr. Chamberlain, from Finance Committee, reported a substitute to account of Albert Williams.

Mr. Ashe, from Finance Committee, reported favorably on H. B. 582, "to allow commissioners of Columbus to levy a special tax."

INTRODUCTION OF BILLS.

By Mr. Broadfoot. A bill to extend "an act authorizing Commissioners of Cumberland county to levy a special tax." Read and referred to committee on counties, &c.

By Mr. Sparrow. A bill "to authorize commissioners of Beaufort county to levy a special tax." On the calendar by consent.

By Mr. Gregory. A bill "to change the time for holding Spring Term of Superior Court in Martin county." Read and placed on calendar.

By Mr. Ashe. A bill "to repeal an act concerning constables in New Hanover, ratified March 26th, 1870." Read and referred to committee on judiciary.

By Mr. Young, of Yancey. A bill "to be entitled an act to empower the commissioners of Yancey to change the township lines of certain townships." Referred to committee on counties, &c.

By Mr. Sykes. "A claim of L. C. Dashiell, sheriff of Pasquotank." Referred to committee on claims.

By Mr. Smith, of Wayne. "A bill for relief of the sheriff of Wayne county." Referred to finance committee.

By Mr. Houston. "A resolution of instruction to Committee on Printing." Read and placed on the calendar.

Mr. Strudwick, by consent, reported from Select Committee to investigate charges against E. W. Jones, Judge of 2d Judicial District, recommending no action on account of want and conflict of testimony in the matter for special investigation. The report was received and committee discharged.

When Mr. Justice rose to a question of privilege, referring to editorial of morning *Sentinel* reflecting on his call on Judge Jones at his room.

CALENDAR.

On motion of Johnston, of Buncombe, the special order was suspended for ten minutes.

When Mr. Sparrow, by consent, introduced a resolution concerning a committee to investigate charges against Judge Jones.

On motion of Mr. Johnston, of Buncombe, bill "to incorporate the People's Building and Loan Association of Asheville," was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. Brown, bill "to re-enact an act to authorize the construction of a Plank Road from High Point to Salem," was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Gregory, bill "to change the time for holding the Spring Term of the Superior Court in Martin," was taken up and passed second and third readings, and, on motion of Mr. Gregory, the vote by which the bill passed third reading was reconsidered, and the motion to reconsider laid on the table.

On motion of Mr. Dunham, report of Select Committee on charges against Judge Jones was taken up and referred to committee on judiciary.

Special Order, being a bill "to be entitled an act for the better government of the Penitentiary," was taken up, and on motion of Mr. Jordan, made special order for Thursday next at 12 m.

Mr. Powell, from Committee on Engrossed Bills, reported bill "to change the time for holding Spring Term of Superior Court in Martin," as correctly engrossed.

On motion of Mr. Houston, resolution "of instructions to Committee on Printing," was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. McAfee, bill "to amend an act to provide system of public instruction" was taken up, and Mr. Ashe

moved to refer bill to committee on finance, and the motion prevailed.

Mr. Robinson in the chair.

Mr. Currie, from Committee on Enrolled Bills, reported as correctly enrolled, "an act requiring sheriffs and coroners to give notice of process for collection of money;" "an act to repeal certain sections of an act ratified Aug. 17th, 1868;" "an act to organize the militia of N. C.;" "an act to suppress secret political organizations;" "an act to amend sections 9 and 10, chapter 8 of an act in relation to the Western Turnpike Road, passed session of 1868–'69;" "an act to authorize the commissioners of Macon county to levy a special tax;" "resolution in favor of the sheriff of Bladen;" "resolution to publish a certain act," "and resolution in favor of Erasmus D. Haynes," and they were ratified.

Mr. Jones, of Caldwell, moved that when this House adjourn, it do so to meet at 7½ o'clock this evening, when

Mr. Hargrove moved to adjourn. Withdrawn, to allow Mr. McAfee to introduce a bill "in relation to bill to organize the militia of the State," which was referred to committee on military affairs.

On motion of Mr. Jones, that when the House adjourn it do so to meet at 7½ o'clock this evening. Mr. Nicholson called the ayes and noes, the call was sustained and motion prevailed. Ayes 45; Noes 30.

Ayes—Messrs. Anderson, Armstrong, Atwater, Cawthorn, Clinard, Dudley, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Hargrove, Hill, Hinnant, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelsey, Kincade, Lassiter, Lyon, Martin, Marler, McCauley, Mills, Nicholson, Paylor, Powell, Rankin, Reavis, Reid, Regan, Settle, Shull, Smith of Anson, Smith of Wayne, Stewart, Waring, Wilcox, Womack and Young of Yancey—45.

Noes—Messrs. Ashe, Brooks, Brown, Bryant of Halifax, Collis, Darden, Dickey, Ellison, Faulkner, French, Furr, Goodwyn, Guyther, Harris of Guilford, Houston, Justice,

Kelly of Davie, Kelly of Moore, Lucas, Luckey, Maxwell, McAtee, McAllister, Morgan of Montgomery, Phillips, Robinson, Tomlinson, Willis, Woodhouse and York—30.

When Mr. Phillips moved to adjourn. Mr. Nicholson called the ayes and noes, the call was sustained and the motion prevailed. Ayes 45; Noes 22.

Ayes—Messrs. Anderson, Armstrong, Ashe, Brooks, Cawthorn, Chamberlain, Clinard, Currie, Dudley, Faulkner, Furr, Gambrel, Gatling, Gore, Grayson, Gregory, Hargrove, Hinnant, Jones of Caldwell, Jones of Northampton, Jordan, Justice, Kelly of Davie, Kelsey, Lyon, Martin, Marler, McCauley, Mills, Page, Phillips, Paylor, Powell, Rankin, Reavis, Settle, Shull, Smith of Anson, Smith of Wayne, Stewart, Tucker, Tomlinson, Waring, Womack and Young of Yancey—45.

Noes—Messrs. Atwater, Brown, Bryant of Halifax, Collis, Crawford, Dickey, Hampton, Houston, Joyner of Pitt, Kincade, Lassiter, Lucas, Maxwell, McAtee, McAllister, Nicholson, Reid, Regan, Robinson, Willis, Wilcox and York—22.

EVENING SESSION.

March 17th, 1871.

The House met at half-past seven o'clock, pursuant to adjournment.

Mr. Loftin moved that when the House adjourn, it adjourn to 9 o'clock to-morrow morning.

Mr. Fisher raised a point of order, that one day's notice of a change of hour for meeting of the House was required, and point was sustained.

Mr. Crawford moved to adjourn. Motion was lost, and calendar was taken up.

CALENDAR.

S. R. 449, in favor of W. W. and D. W. Watts was taken up, put on its several readings, passed and ordered to be enrolled.

Mr. Loftin, by permission, introduced a resolution that Public Printer Print 200 copies of proceedings of impeachment, with answers, &c., for the use of the members of the House. On calendar.

Mr. Waring moved to take up bill "in regard to city of Charlotte." Bill not yet reported by committee, and Mr. McAfee moved to put H. B. 461, "to amend chapter 106 of public laws of 1869-'70, on its third reading, and bill passed. Ayes 63; Noes none.

AYES—Messrs. Anderson, Armstrong, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Darden, Dickey, Drake, Faulkner, Fletcher, Furr, Gambrel, Gatling, Goodwyn, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Franklin, Hargrove, Houston, Hinnant, Johnson of Edgecombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Loften, Lucas, Lyon, Marler, Maxwell, McAfee, McAllister, Mills, Mitchell, Nicholson, Paylor, Regan, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stewart, Sykes, Tucker, Tomlinson, Waring, Willis, Woodhouse and Young of Yancey—63.

NOES—None.

Mr. Currie, from Committee on Corporations, reported favorably on H. B. 588, "in regard to the city of Charlotte." On motion, the rules were suspended, and bill was taken up. On motion, the reading was dispensed with, and bill passed its second reading. Ayes 41; Noes 21.

AYES—Messrs. Anderson, Armstrong, Crawford, Dickey, Drake, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Houston, Hill, Hinnant, Joyner of Johnston, Joyner of Pitt, Jordan, Kelsey, Kincade, Lassiter, Lucas, Luckey,

Martin, Maxwell, McAfee, McAllister, McNeill, Mills, Mitchell, Nicholson, Paylor, Reid, Regan, Shull, Smith of Anson, Smith of Wayne, Waring, Womack, Woodhouse and Young of Yancey—41.

Noes—Messrs. Buxton, Cawthorn, Collis, Ellison, Faulkner, Fletcher, Goodwyn, Guyther, Harris of Guilford, Hargrove Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Newsom, Page, Smith of Halifax, Sykes, Tucker and Willis—21.

And on motion of Mr. Waring, was then referred to committee on counties, towns, &c.

Mr. Loftin renewed motion that when the House adjourn to-night, it adjourn until 9 a. m. to-morrow. Lost.

And Mr. Waring moved the House adjourn, which was also lost.

Mr. Page moved that rules be suspended, and H. B. 462, "to enable the landless of Chowan county to purchase homes," was taken up.

Mr. Page moved to amend by making it the duty of the County Treasurer to receive all moneys as other county funds.

Mr. Cawthorn offered an amendment by inserting "a mule" after every fifty acres.

On motion of Mr. Maxwell, the bill was indefinitely postponed.

On motion of Mr. Shull, the rules were suspended, and H. B. 576, "to lay out and construct a public road through the counties of Ashe and Watauga," was taken up and and passed second reading.

Mr. Shull moved to amend 7th section by inserting "ten" instead of "thirty," and bill was put on third reading, passed and was ordered to be engrossed.

On motion of Mr. Cawthorn, S. B. 442, "to amend the charter of the town of Warrenton," was taken up and passed its several readings and ordered to be enrolled.

Mr. Collis moved to suspend rules to take up H. R. 273, "in regard to adjournment."

Mr. Martin moved to lay resolution on the table, which resolution failed for want of a quorum.

Mr. Justice introduced a resolution to provide for an adjournment on Monday, 27th instant.

After some discussion of the resolution, Mr. Joyner moved to adjourn. The ayes and nays were called, and the House adjourned.

SATURDAY, March 18th, 1871.

The House met at 10 A. M., Mr. Speaker in the chair. Prayer by Rev. Mr. Hardy, of the House.

The reading of the journal of yesterday was, on motion, dispensed with.

A message was sent transmitting to the Senate H. B. 586, "a bill to be entitled an act to incorporate the Statesville Air Line Railroad Company."

Engrossed amendments to S. B. 142, an act "in relation to the Western Turnpike Road," and H. B. 562, a bill "to be entitled an act authorizing the county commissioners of Hertford to levy a special tax," &c.

Mr. Jordan, from Judiciary Committee, reported favorably on H. B. 585, "in regard to Superior Court Judges," and S. B. 572, "to amend sec. 14 of chap. 93, laws of 1868-'69, relative to widow's year's support."

Mr. McNeill, from Committee on Propositions and Grievances, reported unfavorably on H. B. 595, "in favor of P. C. Riley, sheriff of Montgomery," and on H. P. 19, petitions of citizens of Craven county.

Mr. Luckey, from Committee on Insane Asylum, reported unfavorably on H. B. 150, and substitute to be entitled "an act for the better government of the Insane Asylum."

Mr. Settle, from Committee on Claims, reported favorably on resolution "in favor of James H. Enniss," and asking

reference to commitee on propositions and grievances of "account of L. C. Dashiell, of Pasquotank." So referred.

RESOLUTIONS.

By Mr. Joyner, of Johnston. A resolution in regard to adjournment. Placed on calendar.

By Mr. Dudley. A resolution of instructions to members of Congress to have a U. S. building erected in Newbern for postoffice and custom-house.

By Mr. Womack. A bill to charter the Cane Creek Railroad Company. Read and referred.

By Mr. Nicholson. A bill "to protect the interest of policyholders in the State." Read and referred to judiciary committee, with order to print.

By Mr. Dudley. A bill "to repeal an act, 13th section of chapter 168, of laws of 1868–'9, "in relation to suspending officers when impeached."

CALENDAR.

On motion of Mr. Jordan, the rules were suspended and he introduced a resolution "in regard to printing proceedings and trial of impeachment of W. W. Holden, Governor."

Mr. Anderson moved to amend by inserting "and answer of respondent," with proper title page. Placed on calendar by consent.

When Mr. Robinson moved to reject the report and called the ayes and noes.

Mr. Strudwick moved to receive the report and refer it to the judiciary committee. Ruled not in order.

When, after discussion, Mr. Robinson called the special order, the call was sustained, and the report was rejected. Ayes 56; Noes 25.

Ayes—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Cawthorn, Carson, Clinard, Crawford, Currie, Darden, Dickey,

Drake, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Guyther, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Settle, Shull, Smith of Wayne, Wilcox, Woodhouse and Young of Wake—56.

Noes—Messrs. Buxton, Collis, Dudley, Fisher, Fletcher, French, Goodwyn, Hampton, Harris of Franklin, Hargrove, Johnson of Edgecombe, Jones of Northampton, Justice, Kelly of Moore, Loftin, Lyon, McCauley, Morris, Morgan of Wake, Page, Reavis, Robbins, Smith of Anson, Smith of Halifax and Willis—25.

When Mr. Jordan moved to adjourn. Withdrawn to allow Mr Lucas to introduce a bill "to repeal an act to lay off the county of Dare." Read and referred to committee on counties, towns, &c.

And for Mr. Goodwyn, who introduced a resolution "to raise a commission to investigate condition of bill reported as passed last session of the Legislature, regarding the Code Commission."

When Mr. Robinson, from Committee on Enrolled Bills reported as correctly enrolled, an act "to change the time for holding the Spring Term of the Superior Court for the county of Martin for the year 1871," and it was ratified, and, on motion, the House adjourned.

MONDAY, March 20, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Grayson, of the House.

The reading of the journal of Saturday was, on motion, dispensed with.

REPORTS OF COMMITTEES.

Mr. Powell, from Committee on Engrossed Bills, reported H. B. 540, "to incorporate Star Lodge 1384, G. W. O. of Odd Fellows, Elizabeth City;" H. B. 269, "to charter the Statesville and Mt. Airy turnpike road;" H. B. 461, "to amend chap. 106 of the public laws of N. C.;" H. B. 413, "to incorporate the N. C. Stock Raising and Fishing Co;" H. B. 576, "to lay out and construct a road through the counties of Wilkes and Watauga;" H. B. 594, "to re-enact an act in relation to the Plank Road between High Point and Salem;" H. B. 563, "an act to charter the Newbern and Washington Railroad Co;" and H. R. 272, "concerning publication of an act of the General Assembly as correctly engrossed."

And a message was sent transmitting the same to the Senate and asking concurrence therein.

Mr. Broadfoot, from Committee on Corporations, reported favorably on bill to incorporate the town of Kenersville in Forsythe county.

Mr. Johnston, of Buncombe, from Committee on Constitutional Reform, reported unfavorably on H. B. 378, "a bill to amend an act in relation to a Convention."

INTRODUCTION OF BILLS.

Mr. Crawford, a bill to incorporate encampment No. 14, "Independent Order of Odd Fellows." Read and referred to committee on corporations.

By Mr. McNeill, a bill "to be entitled an act in relation to Coroners." Read and referred to judiciary committee.

By Mr. Ashe, a bill with a memorial, "to annex a part of New Hanover to Sampson county." Read and referred to committee on counties, towns, &c.

A message was received from the Senate transmitting S. B. 306, "in relation to the corporate limits of Thomasville." Referred; S. B. 353, to amend an act "to incorporate the

McLean Hook and Ladder Company;" S. B. 615, defining the duties of the Keeper of the Capitol;" returning H. B. 249 "to authorize the Commissioners of Polk and Jackson counties to levy a special tax," with S. amendments; S. B. 360, "to provide for levy of a special tax in Perquimans," with engrossed amendments, and asking concurrence therein.

Also, that the Senate does not concur in House amendments to S. B. 322, H. B. 521, "to incorporate bank of eastern North Carolina," and asking for a committee of conference.

That the Senate has concurred in House amendments to S. B. 142, H. B. 571, "in relation to the Western Turnpike Road,"

Also, transmitting H. B. 123, S. B. 5, "to repeal an act entitled an act to extend the corporate limits of the town of Rutherfordton," with the report that the Senate has concurred in the report of the committee of conference on the same.

Bills were referred,

And Senate amendments to H. B. 219, "a bill to be entitled an act to provide for the levying of a special tax in Perquimans county," were concurred in.

And Senate amendment to H. B. "to authorize the commissioners of Polk and Jackson counties to levy a special tax," were concurred in.

Mr. Ellison, by consent, introduced a resolution "in favor of Nazra Hinton and Ransom Harrison." Read and referred to committee on claims.

When report of conference committee on bill "to repeal an act to extend the corporate limits of the town of Rutherfordton," was read and, on motion, concurred in by the House.

A second message was received from the Senate transmitting S. B. "supplemental to an act to incorporate Mt. Vernon Academy on Bay River in Craven county," and asking concurrence of the House in its passage. Read and placed on the calendar.

Mr. Ashe, by consent, introduced a bill "to raise revenue," which was read and on motion ordered printed and referred to committee on finance.

CALENDAR.

On motion of Mr. Johnston of Buncombe, the roll of the House was called and 115 members were reported present and 5 reported absent.

Mr. Speaker, Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Dudley, Dunham, Ellison, Faulkner, Fisher, Fletcher, French, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Hill, Johnson of Edgecombe, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Lucas, Luckey, Lyon, Martin, Mabson, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Newsom, Nicholson, Nisson, Page, Phillips, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Sykes, Tucker, Tomlinson, Waring, Welch, Willis, Wilcox, Womack, Woodhouse, Young of Wake and Young of Yancey—115.

On motion of Mr. Johnston, of Buncombe, the names of the absentees were entered on the journal. They were Messrs. Duckworth, Hinnant, Mabson, Williamson and York. Mr. Duckworth being absent on indefinite leave on account of ill health.

On motion of Mr. Dudley, bill "to incorporate the Independent Order of Good Templars," was taken up, passed second and third readings, and ordered engrossed.

On motion of Mr. Smith, of Anson, bill to authorize the levy of special tax in Anson was taken up and passed second reading. Ayes 82; Noes 6.

Ayes—Messrs. Anderson, Ashe, Atkinson, Brooks, Broadfoot, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Darden, Dickey, Drake, Dunham, Ellison, Furr, Gambrel, Garrison, Gore, Grayson, Gregory, Guyther, Harris of Guilford, Hargrove, Hardy, Henderson, Hill, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Lucas, Luckey, Lyon, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morgan of Montgomery, Mills, Mitchell, Newsom, Nicholson, Nisson, Phillips, Paylor, Reid, Regan, Robbins, Scott, Smith of Anson, Stanford, Stewart, Strudwick, Sykes, Tucker, Tomlinson, Waring, Wilcox, Woodhouse, Young of Wake and Young of Yancey—82.

Noes—Messrs. Dudley, Faulkner, Fletcher, Hampton, Justice and Smith of Halifax—6.

On motion of Mr. McAfee, bill "to authorize commissioners of Cleveland county to issue bonds," was taken up and passed third reading. Ayes 84; Noes 3.

Ayes—Messrs. Anderson, Ashe, Atkinson, Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Darden, Drake, Ellison, Fisher, French, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Lucas, Lyon, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Newsom, Nicholson, Nisson, Phillips, Paylor, Powell, Reavis, Reid, Regan, Robbins, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Stanford, Stewart, Strudwick, Tucker, Tomlinson, Waring, Willis, Womack, Woodhouse, Young of Wake and Young of Yancey—84.

Noes—Messrs. Copeland, Dudley and Faulkner—3.

Special order being a bill "relating to a Convention of the people," was taken up, and

On motion of Mr. Johnston, of Buncombe, made special order for to-morrow at 10½ o'clock.

When on motion of Mr. Strudwick, the House adjourned.

TUESDAY, March 21st, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Collis of the House.

The reading of the journal of yesterday was, on motion, dispensed with.

REPORTS OF COMMITTEES.

Mr. Crawford, from Committee on Engrossed Bills, reported H. R. 278, resolution "concerning the publication of a certain act of the general assembly," as correctly engrossed.

Mr. Jordan, from Committee on Judiciary, reported unfavorably on S. B. 327, "allowing executors and administrators to plead anew in certain cases; H. B. 567, to extend the provisions of the "Homestead and Personal Property exemption law;" H. B. 613, a bill "to be entitled an act to repeal the thirteenth section of chapter 168 of laws of 1868–'69, in relation to suspending officers impeached;" H. B. 568, "an act to amend chapter 137 of the laws of 1868–'69;" H. B. 78, "a bill regulating salary for each Code Commissioner;" favorably on bill "to interpret section 55 of the Code of Civil Procedure;" on H. B. 558, "to be entitled an act concerning contempt;" H. B. 581, "to be entitled an act concerning clerks of superior courts;" H. B. 609, "to repeal an act concerning constables in New Hanover;" recommending indefinite postponement

of H. B. 592, "to abolish the Code Commission;" and amendments to H. B. 49, and H. B. 592.

Mr. Ashe, from Finance Committee, reported favorably on bill to "authorize Commissioners of Rockingham to issue bonds to fund and pay off the county debts."

INTRODUCTION OF BILLS.

By Mr. McNeill, a bill to be entitled "an act to allow appeals from County Commissioners to the superior courts." Referred to judiciary committee.

By Mr. Mills, "a bill to amend an act to incorporate the Yellow Mountain Bridge Company;" and a bill "to construct a road in the counties of Burke and Mitchell." Both read and referred to committee on corporations.

By Mr. Kincade, a bill "to authorize change of township lines in Lincoln county." Read and referred to committee on counties, &c.

By Mr. Loftin, a bill "in relation to a road in Jones county." Read and referred to committee on propositions and grievances.

CALANDER.

On motion of Mr. Martin, the rules were suspended, and S. B. suplimental to an act to incorporate the Trustees of Mount Vernon Academy in Craven county," was taken up and discussed till hour for consideration of the special order arrived, which was taken up, being a bill "to be entitled an act to submit the question of "Convention" or "no Convention" to the people and to provide for the election of delegates."

Mr. Johnston, of Buncombe, called the previous question on the second reading, which was sustained under a call for the ayes and noes. Ayes 55; Noes 55.

Ayes—Messrs. Anderson, Armstrong, Atwater, Atkinson, Broadfoot, Brown, Chamberlain, Clinard, Currie, Dickey,

Drake, Furr, Gambrel, Gatling, Gore, Grayson, Gregory, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincade, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, Mills, Mitchell, Nicholson, Rankin, Reid, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Waring, Welch, Withers, Woodhouse and Young of Yancey —55.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Cellis, Copeland, Crawford, Dudley, Dunham, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwin, Gullick, Guyther, Hampton, Hargrove, Hardy, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Justice, Kelly of Moore, Lassiter, Lottin, Lucas, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Paylor, Powell, Reavis, Regan, Robbins, Scott, Smith of Halifax, Sykes, Tucker, Willis, Womack, Williamson and Young of Wake—55.

Mr. Speaker voting in the affirmative.

Under call for the ayes and noes the bill failed to pass second reading. Ayes 72 ; Noes 44.

(The bill requiring a two-thirds majority.)

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford,

Stewart, Tomlinson, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and Young of Yancey—72.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwin, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Strudwick, Sykes, Tucker, Willis, Williamson and Young of Wake—44.

Mr. Gregory and Mr. Johnston, of Buncombe, protesting against the introduction of the words "two-thirds of the members of the General Assembly concurring."

Mr. Strudwick, moved to reconsider the vote by which the bill failed to pass its second reading.

Mr. Mabson, moved to lay the motion on the table, when, under call for the ayes and noes, the motion to table motion to reconsider did not prevail. Ayes 43, Noes 70.

Ayes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson Young of Wake—43.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater Atkinson, Broadfoot, Bryson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister,

McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Womack, Woodhouse and Young of Yancey—70.

When Mr. Strudwick called the ayes and noes on motion to reconsider, which call was sustained, and the motion prevailed. Ayes 70; Noes 40.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelley of Moore, Kelsey, Kincade, Lassiter, Lucas, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Womack, Woodhouse and Young of Yancey—70.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwyn, Harris of Franklin, Hargrove, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—40.

Mr. Phillips making the point of order that the motion to reconsider could not prevail unless by a majority of two-thirds; and the point not being sustained by the chair, Mr. Strudwick then moved to amend in line 1, sec. 1, striking out the words "two-thirds of all the members of each House concurring."

Mr. Morris introduced a substitute,

When Mr. Robinson, from Committee on Enrolled Bills,

reported as correctly enrolled "an act to charter the Catawba Valley Railroad;" an act "to amend the charter of the town of Warrenton;" an act "amendatory of an act entitled an act to establish burnt records in the county of Clay;" an act "in relation to fees of county officers and the supreme court clerk;" an act "making an appropriation for the Deaf, Dumb and Blind Asylum;" an act "to incorporate the People's Building and Loan Association of Asheville;" an act "to compel sheriffs to settle the public taxes;" an act "relative to the Western Turnpike Road;" an act "to authorize the commissioners of the counties of Polk and Jackson to levy a special tax;" an act "to repeal an act entitled an act to extend the corporate limits of the town of Rutherfordton;" an act "to provide for the levying of a special tax in the county of Perquimans," and a resolution "in favor of Wm. W. and Daniel M. Watts," and they were ratified.

When a message was received from the Senate transmitting and asking concurrence in the passage of S. B. 470, "to authorize the commissioners of Cabarrus to levy a special tax; S. B. 552, "authorizing the commissioners of Tyrrell county to levy a special tax," and bill "to authorize the levy of a special tax," which were read and referred to committee on counties, towns, &c.

Also, transmitting S. B. 25, H. B. 394, "to change the line between Edgecombe and Nash," with papers and reports of majority and minority of committee of conference in relation thereto.

When a message was received from the Court of Impeachment with information that the Court of Impeachment will proceed to vote on the articles of impeachment on Wednesday, the 22d inst., at 11 o'clock, a. m.

After discussion of the matter under consideration, Mr. Justice called the ayes and noes on the adoption of the amendment. The call was sustained and the amendment was adopted. Ayes 57; Noes 54.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, At-

kinson, Chamberlain, Crawford, Currie, Dickey, Drake, Dunham, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Maxwell, McAfee, McAllister, McNeill, Mills, Mitchell, Nicholson, Paylor, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Welch, Withers Woodhouse and Young of Yancey—57.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Furr, Gambrel, Garrison, Gatling, Goodwyn, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, Marler, Morris, Morgan of Montgomery, Morgan of Wake Newsom, Nisson, Page, Phillips, Powell, Rankin, Reavis, Reid, Robins, Smith of Halifax, Sykes, Tucker, Waring, Willis, Womack, Williamson and Young of Wake—54.

When the bill, as amended, was called on secend reading.

Mr. French rose to a point of order, the point being that Mr. Morris, substitute should be before the House.

Mr. Speaker ruled that as the substitute being "a bill to change the constitution by legislative enactment," was not in order as a substitute.

Mr. Phillips appealed from the decision of the chair.

Mr. French, called the ayes and noes, and the decision of the chair was sustained. Ayes 67; Noes 41.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bryson, Chamberlain, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler,

Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Withers, Woodhouse and Young of Yancey—67.

Noes—Messrs. Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwyn, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Newsome, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—41.

When the bill as amended passed second reading under call of the ayes and noes. Ayes 61; Noes 46.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bryson, Chamberlain, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Maxwell, McAfee, McAllister, McNeill, Mills, Mitchell, Nicholson, Paylor, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Waring, Welch, Withers, Woodhouse and Young of Yancey—61.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Eletcher, French, Garrison, Gatling, Goodwyn, Guyther, Hampton, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lottin, Lyon, Mabson, Marler, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis, Williamson and Young of Wake—46.

Mr. Phillips, by consent, introduced a resolution "to protect

the property of the State from fire. Read and referred to committee on claims,

And Mr. Crawford, "a bill to incorporate North State Lodge I. O. O. F. in Rowan." Referred to committee on corporations.

Leaves of absence were granted Mr. Settle for three days, Mr. French for three days, and Mr. Justice for ten days from next Friday. And on motion the House adjourned.

WEDNESDAY, March 22nd, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Dr. Mason of the city.

The journal of yesterday was read and approved.

When Mr. Johnston, of Buncombe, by consent, introduced a resolution regarding message from the Court of Impeachment stating that the court would vote on the asticles of impeachment, and

On motion of the same, the rules were suspended and the resolution passed, and a message was sent to the Senate informing the Senate of its passage.

When Mr. Gregory asked leave to read his protest upon vote on second reading of Convention bill, and have it enrolled on the journal.

When Mr. Phillips moved that Mr. Gregory be allowed to change his vote, that his protest might be in order, and the motion prevailed,

When Mr. Gregory voted no on second reading of Senate bill in reference to a Convention.

REPORTS OF COMMITTEES.

Mr. McNeill, from Committee on Propositions and Grievances, reported unfavorably on H. B. 623, to authorize the

commissioners of Jones to appoint an overseer on a road, and on H. R. 246, resolution "in favor of Denny S. Marrow;" a substitute to H. B. 57, for collecting arrears of taxes in Richmond county, and asking reference to committee on claims, of claim of L. C. Dasheill.

Mr. McCauley, from Committee on Counties, Towns, &c., reported favorably on S. B. 470, "to authorize commissioners of Cabarrus to levy a special tax;" on H. B. 624, "to change the townships of Lincoln county;" on H. B. 607, "to empower the commissioners of Yancey to change the township lines," on H. B. 611, "to repeal an act to lay off and establish the county of Dare," and made same report on House petition 15, from citizens of Hatteras township, as on H. B. 611.

Mr. Ashe, from Committee on Finance, reported, recommending that section 3, of H. B. 589, "a bill to be entitled an act to amend an act to provide for a system of public instruction," be stricken out, and asking discharge from further consideration.

Also, reporting a resolution from the committee "to provide for a casual deficit it the Treasury." Read and placed on the calendar.

Mr. Crawford, from Committee on Engrossed Bills, reported House Bills 420, 582, and 596 as correctly engrossed.

INTRODUCTION OF RESOLUTIONS.

By Mr. Womack, a resolution in favor of the sheriff of Chatham county Read and placed on the calendar.

INTRODUCTION OF BILLS.

By Mr. Kelly, of Moore, "a bill to authorize the commissioners of Moore county to issue bonds."

By Mr. Chamberlain. "A bill vesting county commissioners with certain discretionary powers." Read and referred to judiciary committee.

Also, a bill with a petition from citizens of Camden county,

"to authorize commissioners of said county to levy a special tax."

By Mr. Kelly of Moore. A bill "to incorporate the Carthage and Randolph Railroad company." Read and referred to committee on internal improvements.

When the hour for fulfillment of resolution in regard to attendance in the Senate on vote on Articles of Impeachment of W. W. Holden having arrived, the House resolved itself into Committee of the Whole.

Mr. Robinson in the chair.

The Committee rose and through its chairman made the following report:

Mr. Speaker, the House having resolved itself into a Committee of the Whole proceeded to the Senate Chamber at 11 o'clock to receive the vote of the Senate on the Articles of Impeachment exhibited by the House of Representatives against W. W. Holden, Governor of North Carolina, for high crimes and misdemeanors in office.

The Committee having returned to their chamber beg to report: The said W. W. Holden was found "guilty" as charged in Articles IV, V, VI, VII and VIII. The said W. W. Holden was found "not guilty" as charged in Articles I and II. The respondent having been convicted on said articles the Senate sitting as a Court of Impeachment, proceeded to adjudge that the said W. W. Holden be deposed from his office and disqualified from holding any office of trust or profit in the State hereafter.

Leave of absence was granted Mr. Young, of Yancy, for one day.

Mr. Martin moved to make bill relative to consolidation of A. & N. C. and part N. C. R. R. and to transfer one million of stock, being special order for to-day at 11 o'clock, be made special order for to-morrow at 10½ o'clock.

Mr. Jones, of Caldwell, moved to adjourn and motion prevailed.

THURSDAY, March 23d, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Grayson of the House.

The journal of yesterday was approved. Reading being dispensed with upon motion.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from Committee on Corporations, reported favorably on S. B. 353, "to amend an act to incorporate the McLean Hook and Ladder Company;" H. B. 628, "to incorporate the North State Lodge I. O. of O. F.;" H. B. 617, to be entitled "an act to incorporate Encampment No. 14, I. O. O. F.;" H. B. 625, "a bill to be entitled an act to provide for laying off and constructing a highway in the counties of Burke and Mitchell," and H. B. 626, a bill "to be entitled an act to incorporate the Yellow Mountain Bridge Company."

INTRODUCTION OF RESOLUTIONS.

By Mr. McAllister. A "resolution in favor of two sessions daily." Placed on calendar.

By Mr. Sparrow. A "resolution to impeach E. W. Jones, Judge of the 2d Judicial District of North Carolina."

Read and referred to judiciary committee.

By Mr. Jordan. Resolution in reference to Richmond M. Pearson, Chief Justice of the State.

Mr. Phillips moved to reject the resolution without passing its first reading.

Mr. Johnston, of Buncombe, moved to lay the motion on the table.

Mr. Justice called the ayes and noes, and motion to table prevailed. Ayes 52; Noes 49.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkin-

son, Broadfoot, Cawthorn, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Grayson, Gregory, Hampton, Henderson, Hill, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Martin, Maxwell, McAfee, McAllister, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Robinson, Scott, Smith of Anson, Smith of Wayne, Sparrow, Standford, Strudwick, Welch, Withers and Woodhouse—52.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Carson, Chamberlain, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Gambrel, Garrison, Gatling, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Justice, Loftin, Lyon, Marler, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Waring, Willis, Williamson and Young of Wake—49.

Mr. Jordan called the previous question, which was sustained, and motion to refer to committee on judiciary prevailed.

A message was sent transmitting to the Senate H. R. 278, "concerning the publication of a certain act of the General Assembly;" H. B. 420, "a bill to authorize commissioners of Caldwell county to levy a special tax;" H. B. 596, a bill to be entitled an act authorizing the commissioners of Cleaveland county to issue bonds, and H. B. 583, a bill to be entitled "an act to incorporate the Independent Ordeer of Good Tmplars, of Newbern, N. C."

When Mr. Justice introduced a resolution requiring Auditor to audit account of F. N. Strudwick for expenses in matter of E. W. Jones, Judge of second judicial district.

By Mr. Jordan, a bill "to be entitled an act supplemental to an act to investigate charges of fraud and corruption." Read and referred to judiciary committee.

By Mr. Chamberlain, a bill "in reference to property exempt from taxation." Read and placed on calendar.

By Mr. Withers, a bill "to authorize commissioners of Caswell to levy a special tax." Read and referred to committee on propositions and grievances."

By Dr. Dunham, a bill "to authorize commissioners of Wilson to issue bonds," and referred to committee on counties, towns, &c.

By Mr. Reagan, a bill "to be entitled an act to prevent fraud in the sale of commercial fertilizers." Read and placed on the calendar.

By Mr. Johnston, of Buncombe, a "bill to regulate the time for holding the superior courts in the eleventh judicial district." Placed on the calendar.

Mr. McCauley, from Committee on Counties, Towns, &c., reported favorably on S. B. 306, "in relation to the corporate limits of Thomasville;" S. B. 324, "to authorize the county commissioners of Stokes to levy a special tax;" S. B. 552, "authorizing commissioners of Tyrrell to levy a special tax;" H. B. 605, "to be entitled an act to extend an act to empower the commissioners of Cumberland county to levy a special tax," and H. B. 614, "a bill to be entitled an act to annex a part of New Hanover to Sampson county." Placed on calendar.

On motion of Mr. Waring, bill "entitled the charter of the city of Charlotte," was taken up, and amendments reported by the committee were adopted, and bill passed third reading. Ayes 53; Noes 25.

Ayes—Messrs. Anderson, Ashe, Atwater, Atkinson, Carson, Chamberlain, Clinard, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gatling, Gore, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, Mills, Nicholson, Paylor, Powell, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Spar-

row, Stanford, Strudwick, Waring, Withers, Wilcox, Womack and Woodhouse—53.

Noes—Messrs. Broadfoot, Bryant of Halifax, Buxton, Collis, Copeland, Dudley, Ellison, Faulkner, Fletcher, French, Garrison, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Willis and Williamson—25.

On motion of Mr. Sparrow, S. B. "supplemental to an act to incorporate Mt. Vernon Academy, in Craven county," was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. French, S. B. "authorizing commissioners of Tyrrell to levy a special tax," was taken up and passed second reading. Ayes 77; Noes 3.

Ayes—Messrs. Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Bunn, Buxton, Carson, Chamberlain, Clinard, Collis, Copeland, Currie, Dickey, Drake, Dunham, Ellison, Fisher, French, Furr, Gambrel, Garrison, Gatling, Gore, Grayson, Gregory, Hampton, Hargrove, Hardy, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Loftin, Luckey, Lyon, Martin, Marler, Maxwell, McAllister, McNeill, Morris, Morgan of Montgomery, Mills, Nisson, Phillips, Paylor, Powell, Reid, Reagan, Robbins, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Standford, Stewart, Strudwick, Tucker, Tomlinson, Waring, Willis, Wilcox, Womack and Woodhouse—70.

Noes—Messrs. Dudley, Faulkner and Williamson—3.

On motion of Mr. French, special order for the hour was postponed till to-morrow at 11 o'clock, and bill "to transfer one million dollars of stock, and to consolidate part of the North Carolina and Atlantic Railroad, &c," was made special order for 1 o'clock.

When Mr. Robinson, from Committee on Enrolled Bills, re-

ported "an act to construct a Railroad from Kenansville, in Duplin county, to Clinton, in Sampson county;" "an act to incorporate the Fair of the Carolinas at Charlotte;" "an act to lay out and construct a public road from the town of Sparta, in Alleghany county, to the Virginia line;" "an act to amend chap. 66, of public laws of 1869–70, to construct a road through counties of Ashe and Alleghany;" "an act to incorporate the trustees of the Blue Ridge Academy, in Henderson county;" "an act to amend the charter of the Wilmington Hook and Ladder Company;" and "an act to lay out and construct a road through the county of Ashe," as correctly enrolled and they were ratified.

On motion of Mr. Henderson, bill "to authorize levy of a special tax in Cabarrus county," was taken up and passed second reading. Ayes 74; Noes none.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryant of Halifax, Bryson, Buxton, Carson, Clinard, Collis, Copeland, Currie, Dickey, Drake, Dudley, Ellison, Faulkner, Fletcher, French, Furr, Garrison, Gatling, Gore, Grayson, Gregory, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Loftin, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nicholson, Phillips, Paylor, Powell, Rankin, Reid, Regan, Robbins, Scott, Shull, Smith of Anson, Smith of Halifax, Stewart, Strudwick, Tucker, Waring, Wilcox, Womack and Woodhouse—74.

Noes—None.

On motion of Mr. Ashe, resolution "to provide for a casual deficit in the treasury," was taken up and passed second reading.

A message was received from the Senate transmitting and asking concurrence in the passage of S. B. 378, "for the promotion of immigration and settlement of unimproved lands of the State;" S. B. 68, "to amend chap. 184, laws of 1868–69;"

S. B. 223, "in relation to Justices of the Peace and Constables;" S. B. 448, "to repeal an act to prevent the sale of spirituous liquors near Silver Hill, Davidson county," S. B. 637, "to extend the corporate limits of Fayetteville;" S. B. 436, "to prevent the sale of spirituous liquors within two miles of Point Caswell, in New Hanover county;" and returning H. B. 357, S. B. 426, "to legalize certain acts of commissioners of Mitchell county," with engrossed copy of the Senate amendments thereto; also transmitting S. R. 333, "in favor of W. A. Bradshaw." Bills and resolution was referred.

When Senate amendments to H. B. 357, "to legalize acts of commissioners of Mitchell," were concurred in and bill ordered enrolled.

When Mr. Gregory moved to reconsider the vote by which bill concerning the "charter of the city of Charlotte," passed third reading. The motion prevailed, and bill was reconsidered.

When Mr. Gregory moved to amend by striking out in section 4, the clause that requires the payment of poll tax as a qualification before a resident shall vote in the municipal elections. Amendment was adopted, and bill passed third reading under call for the ayes and noes. Ayes 46; Noes 30.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Chamberlain, Clinard, Currie, Drake, Dunham, Fletcher, Gambrel, Gore, Grayson, Gregory, Hill, Hinnant, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Martin, Maxwell, McAllister, McCauley, Mills, Mitchell, Nicholson, Rankin, Reid, Robbins, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Waring, Welch, Withers, Wilcox and Woodhouse—46.

Noes—Messrs. Broadfoot, Brown, Bryant of Halifax, Buxton, Copeland, Dudley, Ellison, Faulkner, French, Furr, Garrison, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Reavis,

Robinson, Smith of Halifax, Stewart, Tucker and Williamson —30.

On motion of Mr. Waring, the vote was reconsidered, and motion to reconsider laid on the table.

On motion of Mr. Smith, of Anson, bill "to authorize levy of a special tax in Anson," was taken up and passed third reading. Ayes 67; Noes 7.

Ayes—Messrs. Anderson, Ashe, Atwater, Atkinson, Brooks, Bryant of Halifax, Buxton, Carson, Chamberlain, Clinard, Collis, Dickey, Dunham, French, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gore, Gullick, Grayson, Guyther, Hargrove, Hardy, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincade, Lassiter, Loftin, Lyon, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Morgan of Montgomery, Mills, Mitchell, Paylor, Powell, Rankin, Regan, Robbins, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Waring, Withers, Womack and Woodhouse—67.

Noes—Messrs. Brown, Copeland, Dudley, Hampton, Reavis and Williamson—7.

Mr. Jones, of Caldwell, moved to take up "resolution to purchase a new map for use of the House." Motion did not prevail, no quorum voting.

When Mr. McNeill, from Committee on Propositions and Grievances, reported favorably on bill "to authorize the commissioners of Caswell county to collect a special tax."

Mr. Powell, from Committee on Engrossed Bills, reported as correctly engrossed, House amendments to a "bill to provide for the collection of taxes by the State on property, polls and incomes;" and bill to be entitled "an act to incorporate the Wilmington Co-operative Association."

Mr. Johnston, moved to postpone the special order, (the hour for its consideration having arrived,) in order to take up

the Conventon bill, and make it special order for Friday next. The motion did not prevail, and special order was taken up.

When Mr. Ashe moved to amend section 3, striking out and substituting an additional section, which was adopted.

When Mr. Wilcox moved to amend in second section, lines 7 and 8, strike out one million of dollars in said North Carolina Railroad Company, which was pending.

When on motion of Mr. Sparrow, the House adjourned.

FRIDAY, March 24th, 1871.

The House met at 10 o'clock A. M., Mr. Speaker in the chair. Prayer by Rev. Mr. Collis, of the House.

The journal of yesterday was read and approved.

A message was sent transmitting engrossed bills "to be entitled an act to incorporate the Wilmington Railway Co-operative Association," and

Engrossed amendments to printed copy of H. B. 543, "to be entitled an act to amend an act to provide for the collection of taxes by State and the several counties on property, polls and income," and asking concurrence therein.

Also, that the House has concurred in Senate amendments to bill "to legalize certain acts of the commissioners of Mitchell county."

RECEPTION OF MEMORIALS, &c.

By Mr. Broadfoot, a memorial from citizens of Cumberland protesting against the extension of corporate limits of Fayetteville. Read and referred to committee on counties, towns, &c.

REPORTS OF COMMITTEES.

Mr. Jordan, from Judiciary Committee, reported favorably

on "a bill to be entitled an act supplemental to an act creating a commission to enquire into charges of fraud and corruption."

Mr. Ashe, from Finance Committee, reported amendments to bill "to be entitled an act to raise revenue," recommending its passage as amended.

Mr. Gatling, from Committee on Public Grounds and Buildings, reported favorably on S. B. 615 "an act defining the duties of the Keeper of the Capitol."

INTRODUCTION OF BILLS.

By Mr. Gore, a bill "to be entitled an act to incorporate the town of Whiteville, in Columbus county." Read and referred to committee on corporations.

By Mr. Ashe, a bill "to incorporate the North Carolina Steam Transportation Company." Read and referred to committee on corporations.

By Mr. Stewart, a bill "to authorize commissioners of Harnett county to appoint a Processioner for the county." Read and placed on the calendar.

By Mr. Atkinson, a bill "to levy a special tax in Pitt county." Read and placed on the calendar.

When Mr. Gregory, from Judiciary, reported favorably on bill "to punish arson and burglary;" bill to be entitled "an act to amend Title XI, chapter II, of the Code of Civil Procedure;" H. B. 444, to be entitled "an act to provide farther trial by referees;" H. B. 425, a bill to be entitled "an act to regulate the issuing of executions and judgments for the recovery of money;" H. B. 423, a bill to be entitled "an act to amend title XI, chap. II, sec. 264, Code of Civil Procedure;" H. B. 447, "to provide for enforcement of the penalty of one hundred dollars, provided for by sec. 17, chap. 105, Revised Code."

CALENDAR.

Motion of Mr. Sparrow, to suspend the unfinished business to take up a bill did not prevail.

When, on motion of Mr. Ashe, the unfinished business was suspended for consideration of resolution "to supply a temporary deficit in the Treasury," which was taken up and passed third reading. Ayes 79; Noes 17.

Ayes—Messrs. Armstrong, Atwater, Atkinson, Brooks, Broadfoot, Bryan of Jones, Bryson, Bunn, Buxton, Carson, Clinard, Collis, Copeland, Crawford, Currie, Drake, Dudley, Dunham, Ellison, Faulkner, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gore, Grayson, Gregory, Guyther, Hampton, Harris of Franklin, Hardy, Henderson, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of Northampton, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Paylor, Powell, Rankin, Reid, Regan, Robbins, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Sykes, Tucker, Waring, Welch, Withers, Willis, Wilcox, Womack, Williamson and Young of Wake—79.

Noes—Messrs. Ashe, Bryant of Halifax, Chamberlain, French Hargrove, Houston, Jones of Caldwell, Kincade, Lassiter, Loftin, Lucas, Lyon, Mitchell, Nisson, Page, Reavis and Woodhouse—17.

On motion of Mr. Ashe, the vote was reconsidered, and the motion to reconsider laid on the table, and resolution was engrossed and sent to the Senate.

When the unfinished business was taken up, being a bill to transfer one million of dollars of stock from North Carolina Railroad to Atlantic & North Carolina Railroad, and to consolidate a part of the North Carolina with Atlantic & North Carolina Railroad, and discussed till the hour for consideration of special order arrived, when

On motion of Mr. Martin, the bill was made special order for to-morrow at 11 o'clock.

And special order being "bill to be entitled an act for the better government of the Penitentiary," was taken up

Mr. Harris moved to amend the substitute by inserting in sec. 2, the names of Alfred Dockery, M. A. Bledsoe, Geo. W. Thompson, Wm. Boylan and C. H. Coffield.

Also, amend sections 1, 7, and 10, striking out "first" before "Monday" and inserting "third."

Which amendments were adopted, when the substitute as amended was adopted.

When Mr. Joyner, of Johnston, moved to strike out the name of Wm. Boylan and insert the name of J. T. Leach, of Johnston. The motion did not prevail,

When Mr. Page moved to amend by striking out the name of M. A. Bledsoe and insert the name of Alfred Howe, of New Hanover.

Mr. French called the ayes and noes. The call was sustained and motion lost. Ayes 28; Noes 63.

Ayes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Morgan of Wake, Newsom, Nisson, Page, Phillips Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Williamson—28.

Noes—Messrs. Anderson, Armstrong, Ashe, Atkinson, Broadfoot, Brown, Carson, Chamberlain, Clinard, Currie, Dickey, Dunham, Furr, Gambrel, Goodwin, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart,

Waring, Welch, Withers, Wilcox, Womack and Woodhouse —63.

Mr. Jordan called the previous question, which was sustained and bill passed second reading.

Mr. Strudwick in the chair.

Mr. Jordan moved to suspend the rules to put the bill on its third reading. The motion under call for the ayes and noes prevailed. Ayes 72; Noes 23.

Ayes—Messrs. Anderson, Armstrong, Ashe, Brooks, Broadfoot, Brown, Bryan of Jones, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Fletcher, French, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Harris of Franklin, Hardy, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and Williamson—72.

Noes—Messrs. Bryant of Halifax, Bunn, Collis, Dudley, Ellison, Faulkner, Fisher, Goodwyn, Guyther, Hargrove, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Morris, Morgan of Wake, Newsom, Page, Reavis, Robbins, Smith of Halifax, Tucker and Willis—23.

When Mr. Ellison moved to strike out the name of M. A. Bledsoe and insert the name of J. R. Page, of Chowan, and called the ayes and noes. The call was sustained and the motion was not sustained. Ayes 24; Noes 73.

Ayes—Messrs. Brown, Bryan of Jones, Bunn, Collis, Copeland, Dudley, Ellison, Fisher, French, Goodwin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Morgan of Wake, Newsom, Reavis, Robbins, Sykes, Tucker, Willis and Young of Wake—24.

Noes—Messrs. Anderson, Armstrong, Ashe, Brooks, Broad-

foot, Bryant of Halifax, Bryson, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Faulkner, Fletcher, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, Morris, Mills, Mitchell, Nicholson, Page, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Waring, Welch, Withers, Wilcox, Womack and Woodhouse—73.

When Mr. Crawford moved a call of the House. The call was not sustained.

When Mr. Jordan called the previous question, and the call was sustained, and amendment offered and on table by Mr. —— to strike out the name of M. A. Bledsoe and insert the name of W. R. Pepper, did not prevail.

When Mr. Dudley rose to a privilege question, stating that he gave notice of an amendment. The speaker ruled the amendment not in order, as he did not send amendment to the clerk's desk.

Mr. Dudley appealed from the ruling of the chair a d called the ayes and noes. The call was sustained and the ruling of the chair was sustained. Ayes 53 ; Noes 37.

Ayes—Messrs. Anderson, Ashe, Atwater, Broadfoot, Brown, Bryson, Chamberlain, Clinard, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Goodwyn, Gore, Gullick, Grayson, Gregory, Guyther, Henderson, Houston, Hill, Johnston of Buncombe, Johns, Joyner of Johnston, Jordan, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Martin, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Paylor, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Waring, Withers, Wilcox and Woodhouse—53.

Noes— Messrs. Armstrong, Bryant of Halifax, Bunn, Bux-

ton, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, French, Garrison, Hampton, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Caldwell, Loftin, Lyon, Marler, Morris, Morgan of Wake, Newsom, Nicholson, Nisson, Page, Powell, Reavis, Robbins, Smith of Halifax, Sparrow, Sykes, Tucker, Welch, Willis and Womack—37.

When the bill passed third reading. Ayes 69; Noes 31.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryson, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Fletcher, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and Williamson—69.

NOES—Messrs, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, French, Garrison, Goodwyn, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Loftin, Morris, Morgan of Montgomery, Morgan of Wake, Newsom, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Willis and Young of Yancey—31.

A message was received from the Senate transmitting S. B. 450, "for relief of tax payers of Buncombe county." Referred to committee on propositions and grievances.

S. B. 513, "to incorporate the Fairmount Foundry Company." Referred to committee on corporations.

S. R. 546, "concerning the recent action of the Governor, the Chief Justice and certain Associate Justices of the Supreme Court, and returning H. B. 517, "to extend the time to George Micks, former sheriff, to settle with the County

Treasurer," with engrossed Senate amendment, adding the name of J. F. Ferguson, sheriff of Wilkes county, and asking concurrence therein, and amendment was concurred in and bill ordered enrolled.

Mr. Robinson, from Committee on Enrolled Bills, reported "an act to legalize certain acts of the commissioners of Mitchell county;" an act to incorporate the Oxford and Henderson Railroad Company;" "an act to authorize the commissioners of Anson, to levy a special tax for county purposes," and "an act supplemental to an act to incorporate the Trustees of Mount Vernon Academy, on Bay River, in Craven county," all as correctly enrolled, and they were ratified.

When Mr. Jones, of Caldwell, by consent, introduced a bill "to charter the Asheville and Virginia Railroad." Read and referred to committee on internal improvements.

On motion of Mr. Ashe, the rules were suspended and bill to be entitled "an act to raise revenue," was taken up and read by sections.

Section 1 was read and adopted.

Section 2 was read and amendment reported by Joint Committee of Finance adopted.

Mr. Withers moved to amend, requiring "employers to give in polls of laborers employed, authorizing them to collect from the laborer." Motion did not prevail, and section as amended was adopted.

Section 3 was read and adopted.

Section 1, Class 1, was read, and amendments reported by committee concurred in and section adopted.

Section 2 was read and amendments reported by committee concurred in, and section as amended was adopted.

Section 3 was read, and on amendment reported by the committee striking out in line 1 "one-eighth of one per cent" and insert "12 cents on the hundred dollars," being under consideration,

Mr. Waring moved to amend amendment by inserting instead of "12 cents" "one-twentieth of one per cent," and

amendment to amendment failed, and amendment of committee was concurred in and, section as amended, was adopted.

When section 1, Class 2 was read and, as amended by committee, adopted.

Section 2 was read and adopted.

SCHEDULE B.

Section 1 was read and adopted.

Section 2 was read and adopted.

Section 3 was read and adopted.

Section 4 was read, and Mr. Stanford moved to amend by striking out $40 and insert $20.

Mr. Hill, to amend amendment by inserting $50.

Mr. Page called for division of the question; withdrawn, and amendment to amendment did not prevail; and amendment to section striking out 40 and insert 20, did not prevail.

When Mr. Johnston, of Buncombe, moved to adopt the amendments reported by the committee as a whole, which prevailed.

When leaves of absence were granted Messrs. Buxton, two days; Clinard, one day; Gore, indefinitely; Morris, for one week, and Mr. Loftin, until Monday night.

Mr. Lucas, by consent, introduced a bill "to incorporate Matamuskeet Lodge, Friends of Temperance." Read and referred to committee on corporations.

By Mr. Nicholson. A "resolution in favor of night sessions." On the calendar.

When the revenue bill passed second reading as a whole. Ayes 53; Noes 32.

AYES—Messrs. Armstrong, Ashe, Brooks, Bryan of Jones, Bryson, Bunn, Clinard, Crawford, Dickey, Drake, Fisher, Fletcher, French, Furr, Gambrel, Garrison, Gore, Grayson, Guyther, Harris of Guilford, Hardy, Henderson, Houston, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston,

Kelly of Davie, Kelsey, Kincade, Lassiter, Luckey, McAfee, McAllister, McNeill, Morris, Mitchell, Phillips, Paylor, Powell, Rankin, Reid, Robbins, Robinson, Smith of Anson, Smith of Wayne, Stanford, Welch, Withers, Womack and Young of Wake—53.

Noes—Messrs. Broadfoot, Carson, Chamberlain, Collis, Currie, Dudley, Dunham, Ellison, Faulkner, Goodwyn, Hargrove, Hill, Hinnant, Loftin, Marler, Maxwell, McCauley, Morgan of Montgomery, Morgan of Wake, Newsom, Nicholson, Page, Reavis, Regan, Shull, Stewart, Tucker, Waring, Willis, Wilcox, Woodhouse and Williamson—32.

Mr. Withers moved to suspend the rules to take up the resolution of Mr. Nicholson concerning night sessions.

When Mr. Dunham moved to adjourn. The ayes and noes were called and the House adjourned. Ayes 47; Noes 33.

Ayes—Messrs. Anderson, Armstrong, Ashe, Brooks, Bryant of Halifax, Bunn, Buxton, Carson, Collis, Currie, Dickey, Dudley, Dunham, Ellison, Faulkner, Fisher, French, Goodwyn, Gore, Guyther, Hargrove, Henderson, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Kelly of Davie, Loftin, Luckey, McAllister, McCauley, Morgan of Wake, Newsom, Nisson, Page, Phillips, Reavis, Robbins, Robinson, Smith of Wayne, Tucker, Welch, Willis, Wilcox, Womack, Williamson and Young of Wake—47.

Noes—Messrs. Broadfoot, Chamberlain, Clinard, Fletcher, Gambrel, Grayson, Hampton, Harris of Guilford, Hill, Hinnant, Johnston of Buncombe, Johns, Kelly of Moore, Kelsey, Kincade, Lassiter, Marler, Maxwell, McAfee, McNeill, Morris, Morgan of Montgomery, Nicholson, Paylor, Rankin, Reid, Regan, Smith of Anson, Smith of Halifax, Stanford, Waring, Withers and Woodhouse—33,

SATURDAY, March 25th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair. Prayer by Rev. Mr. Hardy, of the House.

The reading of the journal of yesterday was, on motion, dispensed with.

Mr. Crawford, from Committee on Engrossed Bills, reported a substitute to H. B. to be entitled "an act for the better government of the Penitentiary," as correctly engrossed.

Leaves of absence were granted to Mr. Powell for three days; indefinitely to Mr. Anderson from Monday next, and to Mr. Joyner, of Johnston, for three days.

Mr. Lucas was reported absent on account of sickness.

INTRODUCTION OF BILLS.

By Mr. Sparrow, "a bill to provide for registration of receipts in certain cases." Placed on the calendar.

By Mr. Willis, "a bill to give homesteads to actual settlers in Craven and Carteret counties." Read and referred to committee on counties, towns, &c.

By Mr. Copeland, "a bill to authorize the levy of a special tax in Wayne county." Read and referred to committee on counties, towns, &c.

Mr. Broadfoot, from Judiciary Committee, reported favorably on H. B. 441, "an act to require justices of the peace to file proceedings in the Superior Courts, when the defendant pleads want of assets."

CALENDAR.

On motion of Mr. Womack, bill "to incorporate Haywood and Cane Creek Railroad Company," was taken up and amendments reported by the committee concurred in.

Mr. Womack offered a proviso to the effect "that amend-

ments to Chatham Railroad charter made by this act shall not take effect till said Railroad shall subscribe and pay over $125,000 to Haywood and Cane Creek Railroad, &c." Adopted and bill passed second reading, and

On motion of Mr. Broadfoot, recommitted to committee on internal improvements.

A message was sent to the Senate transmitting engrossed bill 577, "an act for the better government of the Penitentiary," and asking concurrence therein, and announcing concurrence in amendments to H. B. 517, "to extend the time to George Nicks, sheriff, to settle with the County Treasurer. Ordered enrolled.

On motion of Mr. Ashe, bill to authorize levy of a special tax in Tyrrell county, was taken up and passed third reading. Ayes 64; Noes 5.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Bryan of Jones, Bryson, Bunn, Carson, Chamberlain, Collis, Copeland, Crawford, Dickey, Drake, Dunham, Fisher, Fletcher, Furr, Garrison, Gatling, Grayson, Guyther, Hampton, Harris of Franklin, Hardy, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Jones of Northampton, Kelly of Moore, Lassiter, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, Mills, Mitchell, Newsom, Paylor, Reid, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Strudwick, Waring, Welch, Wilcox, Womack and Woodhouse—64.

Noes—Messrs. Dudley, Ellison, Faulkner, Goodwyn and Hargrove—5.

On motion of Mr. Strudwick, S. R. "in favor of James H. Ennis," was taken up and passed second and third readings and ordered enrolled.

Mr. Sparrow, from Judiciary Committee, reported on the matter referring to Edward W. Jones, judge of the second judicial district, with resolution of impeachment, signed H. T. Jordan, Chairman, T. Sparrow, G. H. Gregory, C. W. Broad-

foot, J. G. Scott, S. A. Ashe, J. D. Stanford, Lee M. McAfee, E. B. Withers, John W. Dunham, T. N. Strudwick and R. P. Waring.

Mr. Jones, from Committee on Claims, reported on "resolution in favor of Nazra Hinton and Ransom Harrison;" S. R. 447, in favor of Henry Biggs, and resolution, S. R. No. 263, in favor of M. L. Wiggins, all favorably.

Mr. Ashe, from Committe on Finance, reported favorably on H. B. 632, a bill to be entitled an act to authorize the commissioners of Moore county to issue bonds.

Mr. Robinson, from Committee on Enrolled Bills, reported an act to authorize the Dismal Swamp Canal Company to issue bonds; and an act to extend the time to George Nicks to settle with County Treasurer, as correctly enrolled and they were ratified.

On motion of Mr. Luckey, H. B. to incorporate North State Lodge, I. O. O. F., was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Dunham, bill to authorize the county of Wilson to issue bonds was taken up and passed second reading. Ayes 65; Noes 12.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryan of Jones, Bryson, Carson, Chamberlain, Collis, Copeland, Crawford, Currie, Dickey, Drake, Dunham, Ellison, Fletcher, Furr, Gambrel, Garrison, Gatling, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hardy, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Loftin, Marler, Maxwell, McAllister, McCauley, Morris, Mills, Mitchell, Nicholson, Nisson, Paylor, Reid, Regan, Robbins, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Sykes, Waring and Wilcox—65.

Noes—Messrs. Dudley, Faulkner, Goodwyn, Hargrove, Morgan of Montgomery, Morgan of Wake, Page, Reavis, Smith of Halifax, Tucker, Willis and Williamson—12.

On motion of Mr. Jordan, bill supplemental to act appointing a Commission to investigate charges of fraud and corruption, was taken up.

When Mr. Johnston, of Buncombe, moved an additional section preventing excuse for non-disclosure of any communication made for any parties concerned.

Upon which Mr. Dudley called the ayes and noes. The call was not sustained,

When Mr. Jordan called the previous question.

Mr. McNeill having given notice of amendment, and having it on the clerk's desk, also amendment by Mr. Stanford, both were read and adopted, when amendment of Mr. Johnston was not adopted, and bill passed second and third readings and ordered engrossed.

On motion of Mr. Sparrow, resolution of impeachment of Edmond W. Jones, Judge of the Second Judicial District, was taken up and passed under call for the ayes and noes. Ayes 76; Noes 13.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Carson, Chamberlain, Collis, Copeland, Crawford, Dickey, Drake, Dunham, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hardy, Henderson, Houston, Hill, Hinnant, Johnson of Edgecombe, Johns, Jones of Caldwell, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Mills, Mitchell, Nicholson, Page, Phillips, Paylor, Rankin, Reid, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Sykes, Waring, Welch, Withers, Wilcox, Woodhouse and Williamson—76.

NOES—Messrs. Bryan of Jones, Bunn, Dudley, Hargrove, Loftin, Lyon, Morgan of Montgomery, Morgan of Wake, Nisson, Reavis, Smith of Halifax, Tucker and Willis—13.

When Mr. Sparrow introduced a resolution regarding the

appointment of managers of said impeachment, which was adopted, to wit:

Resolved, That the Speaker be and he is hereby authorized and required to appoint five managers, members of this House, to conduct the impeachment of Edmond W. Jones on the part of the House.

By the same:

Resolved, That a message be sent to the Senate to inform that body that this House have adopted a resolution to impeach Edmond W. Jones, Judge of the Superior Court for the Second Judicial District, of high misdemeanors in office, and that the House will, in due time, prefer articles of impeachment, and that the Clerk of the House do go with said message.

Which was adopted and messsage was transmitted.

When Mr. Loftin moved to take up the special order, which was postponed. Withdrawn, and

On motion of same, bill was made special order for Monday at 11 o'clock.

When Mr. Ashe moved to take up bill to raise revenue, and motion prevailed.

A motion to read the bill by sections prevailed.

When Mr. Withers moved to postpone consideration of the matter until the impeachment matter was disposed of, and the motion prevailed,

When Mr. Withers moved to reconsider the vote by which resolution to impeach E. W. Jones, Judge of Second Judicial District, was adopted.

Mr. Robinson in the chair.

After debate, Mr. Withers called the previous question. The call was sustained and the House refused to reconsider under a call for the ayes and noes. Ayes 35; Noes 51.

Ayes—Messrs. Anderson, Atwater, Bryson, Carson, Collis, Dickey, Drake, Gambrel, Garrison, Hampton, Hargrove, Houston, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Kelsey, Lassiter, Loftin, Lyon, Marler, Maxwell, Mills, Mitchell, Paylor, Rankin,

Reavis Reid, Shull, Tucker, Tomlinson, Welch, Withers, Willis and Wilcox—35.

Noes—Messrs. Armstrong, Ashe, Atkinson, Brooks, Broadfoot, Bryan of Jones, Chamberlain, Copeland, Crawford, Currie, Dudley, Dunham, Ellison, Faulkner, Fisher, Fletcher, Furr, Gatling, Goodwyn, Grayson, Gregory, Guyther, Harris of Guilford, Hardy, Henderson, Hinnant, Johns, Jordan, Kelly of Davie Luckey, Martin, McAfee, McAllister, McNeill, Morris, Morgan of Montgomery, Page, Phillips, Regan, Robbins, Scott, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Strudwick, Waring, Womack, Woodhouse and Williamson—51.

When Mr. Jones, of Caldwell, moved to reconsider the vote by which resolution to send a message to Senate of information of impeachment of E. W. Jones, Judge of the Second Judicial District, passed, and called the previous question, which was sustained, and

Mr. Gregory called the ayes and noes. The call was sustained and the vote reconsidered. Ayes 44; Noes 40.

Ayes—Messrs. Anderson, Atwater, Bryson, Bunn, Carson, Dickey, Drake, Dudley, Fletcher, Gambrel, Garrison, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Kelsey, Lassiter, Lyon, Marler, Maxwell, Mills, Mitchell, Nicholson, Paylor, Rankin, Reavis, Reid, Regan, Robbins, Shull, Tucker, Waring, Welch, Withers, Willis, Wilcox and Womack—44.

Noes—Messrs. Armstrong, Ashe, Atkinson, Brooks, Broadfoot, Chamberlain, Copeland, Crawford, Currie, Dunham, Ellison, Faulkner, Fisher, Gregory, Henderson, Hinnant, Johns, Jordan, Kelly of Davie, Kelly of Moore, Loftin, Luckey, Martin, McAfee, McAllister, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Phillips, Scott, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Strudwick, Woodhouse and Williamson—40.

The question recurring on the passage of the resolution,

Mr. Withers moved to postpone consideration for purpose of intruducing a resolution, when

Mr. Nicholson introduced a resolution lowering *per diem* and mileage of officers and members of the General Assembly, and called the previous question. The call was sustained, when

Mr. Furr's amendment to strike out $2 and insert $1, in the resolution wherever it occurs. (Notice of which had been given, and amendment on the table of the Clerk,) was adopted. Ayes, 51; Noes 27.

Ayes—Messrs. Ashe, Bryan of Jones, Bryson, Carson, Chamberlain, Clinard, Collis, Currie, Dickey, Drake, Dunham, Fisher, Furr, Garrison Gatling, Gullick, Gregory, Guyther, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Jordan, Kelly of Davie, Kelsey, Loftin, Martin, Marler, Maxwell, McAfee, McNeill, Morris, Morgan of Montgomery, Rankin, Reavis, Reid, Robbins, Smith of Anson, Smith of Wayne, Sparrow, Standford, Waring, Welch, Withers, Wilcox, Womack and Woodhouse—51.

Noes—Messrs. Armstrong, Brooks, Bunn, Copeland, Crawford, Dudley, Ellison, Faulkner, Fletcher, Goodwin, Grayson, Hampton, Harris of Guilford, Hill, Johnson of Edgecombe, Jones of Caldwell, Kelly of Moore, Lyon, McAllister, Mills Nicholson, Phillips, Robinson, Scott, Smith of Halifax, Willis and Williamson—27.

And resolution as amended passed second reading.

Mr. Johnston, of Buncombe, moved to suspend the rules to consider the resolution on its third reading.

Mr. Martin moved to adjourn.

Mr. Nicholson called the ayes and noes, and motion failed. Ayes 19; Noes 56.

Ayes—Messrs. Ashe, Carson, Collis, Copeland, Crawford, Dudley, Goodwyn, Hargrove, Jones of Northampton, Loftin, Martin, Morgan of Wake, Reavis, Robbins, Smith of Halifax, Stanford, Tucker, Willis and Williamson—19.

Noes—Messrs. Anderson, Atwater, Brooks, Broadfoot, Bryan of Jones, Chamberlain, Currie, Dickey, Drake, Dunham, Ellison, Faulkner, Fisher, Furr, Gambrel, Garrison, Gatling, Gullick, Grayson, Hampton, Harris of Guilford, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Luckey, Lyon, Marler, Maxwell, McAfee, McAllister, McNeill, Morris, Morgan of Montgomery, Mitchell, Nicholson, Page, Phillips, Paylor, Reid, Regan, Shull, Smith of Anson, Sparrow, Strudwick, Welch, Wilcox, Womack and Woodhouse—56.

When Mr. Loftin moved to amend by striking out "one" and insert "three." Amendment lost.

Mr. Nicholson called the previous question, which was sustained, and Mr. Robinson's amendment, notice of which had been given striking out "one" and inserting "two" prevailed, and bill as amended passed third reading under a call for the ayes and noes. Ayes 62; Noes 21.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryan of Jones, Bryson, Chamberlain, Collis, Crawford, Currie, Dickey, Drake, Dunham, Ellison, Furr, Gambrel, Gatling, Gullick, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Houston, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Loftin, Luckey, Marler, Maxwell, McAtee, McAllister, McNeill, Morris, Morgan of Wake, Mills, Nicholson, Phillips, Paylor, Rankin, Reavis, Reid, Robbins, Robinson, Scott, Smith of Anson, Smith of Wayne, Sparrow, Waring, Welch, Withers, Wilcox and Womack—62.

Noes—Messrs. Bunn, Carson, Copeland, Faulkner, Fisher, Fletcher, Garrison, Grayson, Harris of Franklin, Hardy, Johns, Jones of Caldwell, Jones of Northampton, Lyon, Nisson, Page, Smith of Halifax, Stanford, Tucker, Woodhouse and Williamson—21

When a message was announced from the Senate transmit-

ting resolutions of enquiry into charges against Hon. John Pool Senator. Read and placed on the calander.

Mr. —— moved to adjourn.

Mr. Houston called the ayes and noes, and the motion prevailed. Ayes 43; Noes 38.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atkinson, Broadfoot, Bryson, Bunn, Collis, Crawford, Currie, Dickey, Drake, Dudley, Fletcher, Gambrel, Garrison, Goodwyn, Gullick, Grayson, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Jones of Caldwell, Jones of Northampton, Jordan, Kelly of Davie, Kelly of Moore, Loftin, Lyon, McNeill, Morgan of Wake, Mills, Robbins, Robinson, Scott, Smith of Anson, Smith of Wayne, Waring, Welch, Withers and Williamson—43.

Noes—Messrs. Atwater, Brooks, Chamberlain, Copeland, Dunham, Ellison, Faulkner, Fisher, Gatling, Gregory, Hampton, Houston, Hill, Hinnant, Johnston of Buncombe, Johns, Kelsey, Lassiter, Luckey, Marler, Maxwell, McAfee, McAllister, Morris, Morgan of Montgomery, Nicholson, Nisson, Page, Paylor, Rankin, Reavis, Reid, Smith of Halifax, Sparrow, Stanford, Wilcox, Womack and Woodhouse—38.

MONDAY, March 27th, 1871.

The House met at 10 A. M, Mr. Speaker Jarvis in the chair. Prayer by Rev. Dr. Atkinson, of the city.

The reading of the journal of Saturday was, on motion, dispensed with.

PETITIONS AND MEMORIALS.

By Mr. Currie, a "petition from citizens of Fayetteville in favor of bill to extend corporate limits of Fayetteville." Referred to committee on counties, towns, &c.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from Committee on Corporations, reported favorably on a bill "to incorporate the North Carolina Steam Transportation Company."

Mr. Crawford, from Committee on Engrossed Bills, reported H. B. 628, a bill "to be entitled an act to incorporate the North State Lodge, I. O. O. F.," and H. R. 381, "resolution concerning *per diem*, &c.," as correctly engrossed.

Mr. McAllister, from same committee, reported H. B. 588, bill "in regard to the city of Charlotte," as correctly engrossed.

Mr. Welch, from Committee on Internal Improvements, reported favorably on bill "to incorporate the Asheville and Virginia Railroad," and favorably, with an amendment to bill "to incorporate the Carthage and Randolph Railroad Company."

INTRODUCTION OF RESOLUTIONS.

By Mr. Bryson, a "resolution regarding adjournment." Read and placed on the calendar.

INTRODUCTION OF BILLS.

By Mr. Tucker, a bill "regarding license of pedlars." Read and referred to finance committee.

By Mr. McAllister, a bill "to authorize commissioners of Alamance to levy a special tax." Read and referred to committee on counties, towns, &c.

By Mr. Chamberlain, a bill to be entitled "an act to incorporate Hollywood Cemetery." Read and referred to committee on corporations.

By Mr. Johnston, of Buncombe, "a bill supplemental to an act to compel sheriffs to settle taxes." Read and placed on the calendar.

By Mr. Stanford, a "resolution in reference to protest of

members, and to allow protest of Mr. Gregory to be entered on the journal.

CALENDAR.

Mr. Bryson moved to suspend the unfinished business to take up resolution "concerning adjournment" offered to-day, and the motion prevailed.

When on motion of the same, to suspend the rules for the purpose of considering the resolution. After discussion the point of order was raised that the hour for consideration of the previous question, being bill to transfer $1,000,000 of stock, and to consolidate part of the North Carolina with the Atlantic and North Carolina Railroad, had arrived. Point sustained,

When Mr. Bryson moved to postpone special order for half an hour, and the motion did not prevail, and Senate order was taken up.

Motion of Mr. Wilcox to strike out "one million of stock," &c., pending,

When Mr. Currie moved to lay the matter on the table.

Mr. Loftin called the ayes and noes. The call was sustained, and motion did not prevail.

A message was sent to the Senate transmitting H. R. concerning pardons, &c.; H. B. "to incorporate North State Lodge, I. O. O. F.," of Salisbury, and H. B. "concerning the charter of the city of Charlotte," and asking concurrence in the passage of the same.

Mr. Strudwick in the chair.

When Mr. Rankin offered a substitute for section 2 of the bill. Not adopted.

Mr. Withers moved to amend the amendment of Mr. Wilcox, by inserting "six hundred and fifty thousand dollars," for "one million," which was adopted.

When Mr. Wilcox called the previous question, which was understood to be withdrawn.

When after further discussion, Mr. Martin called the pre-

vious question, which was sustained, and Mr. Ashe's amendment on the clerk's desk, did not prevail.

Mr. Welch called the ayes and noes on the passage of the bill on second reading. The call was sustained, and the bill passed second reading. Ayes 44; Noes 40.

AYES—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Bryan of Jones, Bryson, Bunn, Copeland, Dickey, Dudley, Dunham, Ellison, Fisher, Fletcher, Houston, Hill, Hinnant, Johnson of Edgecombe, Jones of Caldwell, Lottin, Lucas, Martin, Mabson, Marler, Maxwell, Newsom, Nicholson, Page, Phillips, Paylor, Scott, Shull, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker, Withers, Willis, Womack, Woodhouse and Williamson—44.

NOES—Messrs. Anderson, Broadfoot, Crawford, Currie, Faulkner, Furr, Gambrel, Garrison, Gatling, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Johnston of Buncombe, Jones of Northampton, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Lyon, McAfee, McAllister, McCauley, McNeill, Morgan of Mongomery, Nisson, Rankin, Reavis, Reid, Regan, Robinson, Settle, Smith of Anson, Waring, Welch and Wilcox—40.

Mr. Withers moved to postpone the unfinished business for five minutes, to take up "resolution in favor of night sessions, which prevailed.

When Mr. McAllister moved to adopt "resolution in favor of morning and evening sessions," as a substitute.

When Mr. Nicholson called the previous question, which was sustained, and the substitute was adopted and passed.

The unfinished business being "resolution to send a message to the Senate giving information of the adoption of a resolution to impeach Edmond W. Jones, Judge of the 2d Judicial District," and that articles will be preferred, and Mr. Sparrow called the previous question, which was ordered, and resolution was adopted.

When, on motion of Mr. Sparrow, the rules were suspended and articles of impeachment as follows were read:

ARTICLES exhibited by the House of Representatives of the State of North Carolina, in the name of themselves and all the people of the State of North Carolina against EDMUND W. JONES, Judge of the Superior Court for the Second Judicial District of North Carolina, in maintenance and support of their impeachment against him for high misdemeanors in office.

ARTICLE I.

That the said EDMUND W. JONES, Judge of the Superior Court for the Second Judicial District of North Carolina, on the eighteenth day of March, in the year of our Lord one thousand eight hundred and seventy-one, at Raleigh, in the county of Wake, and State of North Carolina, unmindful of the solemn duties of his station, and in contempt and violation of the law, on the morning of said day in a state of drunkenness, rode in a public omnibus through the public streets of said city to the public station of the North Carolina Railroad, at or near said city, where in a state of drunkenness he passed from said omnibus with the aid of others to a public passenger coach, on the said railroad, destined for the town of Goldsboro', to the great scandal of his office and the contempt of all good citizens.

ARTICLE II.

That the said Edmund W. Jones, Judge of the Superior Court, for the Second Judicial District of North Carolina, on the eighteenth day of March, in the year of our Lord one thousand eight hundred and seventy-one, at the town of Goldsboro,' in the county of Wayne, and State of North Carolina, unmindful of the solemn duties of his station and in contempt and violation of the law, on the afternoon of the said day, in a state of drunkenness, passed from a public railroad station, through a public street in said town to the public hall at Gregory's Hotel

in said town, where; in said state of drunkenness, with a bottle of spirituous liquors in his hand, he remained for some time, that is to say for the space of half an hour, to the great scandal of his office and the contempt of all good citizens.

ARTICLE III.

That the said Edmund W. Jones. Judge of the Superior Court for the Second Judicial District of North Carolina, on the eighteenth day of March, in the year of our Lord one thousand eight hundred and seventy-one, at or near the town of Tarboro,' in the county of Edgecombe, and State of North Carolina, at a public railroad depot, on the evening of said day, unmindful of the solemn duties of his station and in contempt and violation of the law, in a state of drunkenness, was assisted from a railroad coach to a public omnibus and in said conveyance, through the public streets of said town, rode to a public hotel, where he was again assisted, in said state of drunkenness, from said omnibus to said public hotel, to the great scandal of his office and the contempt of all good citizens.

ARTICLE IV.

That the said Edmund W. Jones, Judge of the Superior Court for the Second Judicial District of North Carolina, on the twentieth day of March, in the year of our Lord one thousand eight hundred and seventy one, at the town of Williamston, in the county of Martin and State of North Carolina, whither the said Edmund W. Jones, Judge as aforesaid, had gone in the discharge of his official duties, said twentieth day of March being the regular day appointed by law for the holding of the Superior Court of said county, over which court the said Edmund W. Jones was to preside as judge, unmindful of the solemn duties of his station, and in contempt and violation of the law, in a state of drunkenness, in a public street and at a public hotel, in said town, was and continued to be to the great scandal of his office and the contempt of all good citizens.

ARTICLE V.

That said Edmund W. Jones, Judge of the Superior Court for the Second Judicial District of North Carolina, on the twenty-first day of March, A. D. 1871, at Williamston, in the county of Martin, and State of North Carolina, unmindful of the solemn duties of his office, and in contempt and violation of the law, in a state of drunkenness, was seen in a public street and in a public hotel, in said town of Williamston, said twenty-first day of March being a day during the regular term of the Superior Court of said county, set apart by the said Edmund W. Jones, as judge of said court, for the hearing of a cause at chambers before him, the said Edmund W. Jones, as judge in said town, to the great scandal of his office and contempt of all good citizens.

And the House of Representatives, by protestation, saving to themselves the liberty of exhibiting at any time hereafter any further articles or other accusation of impeachment against the said Edmund W. Jones, and also of replying to his answers which he shall make unto the articles herein prefered against him, and of offering proof to the same and every part thereof, and to all and every other articles, accusation or impeachment which shall be exhibited by them as the case shall require, do demand that the said Edmund W. Jones may be put to answer the high misdemeanor in office herein charged against him, and that such proceedings, examinations, trials and judgments may be thereupon had and given as may be agreeable to law and justice.

(Signed,) THOS. J. JARVIS,
Speaker of the House of Representatives.

W. W. GAITHER,
Clerk of House of Representatives.

And the same were adopted.

Mr. McAllister moved that when this House adjourn, it do

so to meet at 3½ p. m., and called the ayes and noes. The call was sustained and motion prevailed. Ayes 76; Noes 7.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Cawthorn, Carson, Collis, Copeland, Crawford, Currie, Dickey, Drake, Dunham, Fisher, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Loftin, Lucas, Lyon, Mabson, Marler, Maxwell, McAfee, McAllister, McNeill, Morgan of Montgomery, Mitchell, Newsom, Nicholson, Nisson, Page, Phillips, Paylor, Rankin, Reavis, Reid, Robbins, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Waring, Withers, Wilcox, Womack, Woodhouse and Williamson—76.

Noes—Messrs. Bunn, Chamberlain, Faulkner, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton and Mills—7.

On motion of Mr. Johnston, of Buncombe, the rules were suspended and H. B. "for the better government of the Insane Asylum" was taken up and made special order for to-morrow at 11½ o'clock.

Leaves of absence were granted Mr. Hinnant for two days. Mr. Morgan, of Montgomery, for two days, and Mr. Maxwell for two days.

On motion of Mr. Loftin, the rules were suspended and S. B. of consolidation of North Carolina and Atlantic and North Carolina Railroads, was taken up and made special order for Wednesday next at 11 a. m.

When on motion, the House adjourned.

EVENING SESSION.

March 27th, 1871.

The House met at half-past three o'clock, P. M., Mr. Speaker in the chair.

When Mr. Sparrow moved that when this House adjourn, it adjourn to meet at 7½ o'clock to-night, and the motion prevailed.

When Mr. Johnston, of Buncombe, moved to postpone the unfinished business in order to consider bill to be entitled "an act supplemental to an act entitled an act to compel sheriffs to settle taxes," which prevailed, and bill passed second reading; when Mr. Dunham moved to amend by inserting "nor shall the sheriffs of Wilson or Wayne for failure to pay in the taxes for the year 1870." Adopted. Mr. Bryson, to amend by inserting the sheriff of Jackson, when Mr. Loftin moved to lay on the table, and the motion prevailed.

Mr. Jones, by consent, introduced a resolution in favor of three sessions daily.

When order as follows was announced from the chair: "The Board of Managers on the part of the House of Representatives to try the Articles of Impeachment against E. W. Jones, Judge of the Second Judicial District, are Messrs. Phillips, Withers, Ashe, McAfee and Settle."

Mr. Sparrow, by consent, introduced the following resolution:

"*Resolved*, that the articles agreed to by this House, to be exhibited in the name of themselves and of all the people of the State of North Carolina against Edmond W. Jones, Judge of the Superior Court for the Second Judicial District of North Carolina, in maintenance of their impeachment against him of high misdemeanors in office, be carried to the

Senate by the Managers appointed to conduct said impeachment, and be delivered to the presiding officer thereof, and that they acquaint the Senate that they will make good the same, and that the Managers do demand that the Senate take order for the appearance of the said Edmond W. Jones to answer said impeachment," which was read and adopted.

A message was announced from the Senate, transmitting S. B. 262, amendatory of an act entitled "proceedings in *habeas corpus*." Referred to judiciary committee.

S. B. 576, "to protect the city of Raleigh from accident by fire." Referred to committee on counties, towns, &c.

S. B. 586, "concerning the Centenial Anniversary of American Independence." Placed on calendar.

S. B. 583, "for the relief of the sheriffs of Wayne, Wilson and other counties." Referred.

S. B. 277, "to amend section 23, chapter 37 Revised Code." Referred to judiciary committee.

S. R. 663, "in favor of John S. McNeill and others." Referred to committee on claims.

S. B. 446, "to authorize commissioners of Johnston to issue bonds." Referred to committee on counties, towns, &c.

S. B. 259, "to amend an act concerning settlements of estates of deceased persons, ratified April 6th, 1869." Referred to judiciary committee.

S. B. 443, "to authorize commissioners of Nash to levy a special tax." Referred to committee on counties, towns, &c.

S. B. 451, "to reduce the bond of Clerk of Dare county from $10,000 to $3,000." Referred to finance committee.

S. B. 408, "concerning municipal officers." Referred to committee on counties, towns, &c.

And returning with engrossed amendments H. B. 366, "to amend an act to incorporate the Bank of Mecklenburg;" H. B. 311, "to limit the powers of township trustees of Clay, Cherokee and other counties," and H. B. 232, "to authorize commissioners of Macon to levy a spacial tax."

Senate amendment to H. B. "to amend the charter of the

Bank of Mecklenburg was concurred in, and bill ordered enrolled.

Senate amendments to bill to authorize commissioners of Macon to levy a special tax," was concurred in.

Also, Senate amendments to bill "to limit the powers of township trustees of Clay, Cherokee and other counties," were also concurred in, and bills ordered enrolled.

On motion of Mr. Carson, the rules were suspended, and bill "to authorize levy of a special tax in Alexander county," was taken up and passed second reading. Ayes 73; Noes none.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryan of Jones, Bryson, Bunn, Carson, Chamberlain, Collis, Currie, Dickey, Drake, Dunham, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Hill, Hinnant, Jones of Caldwell, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Loftin, Lucas, Lyon, Martin, Maxwell, McAfee, McAllister, McCauley, Mills, Mitchell, Newsom, Nicholson, Phillips, Paylor, Regan, Robbins, Robinson, Scott, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Stewart, Strudwick, Tucker, Waring, Welch, Wilcox, Womack and Woodhouse—73.

Noes—None.

On motion of Mr. Ashe, to have the unfinished business postponed, and bill "to authorize levy of a special tax in New Hanover county, be taken up did not prevail, and the unfinished business being, a bill to be entitled "an act to raise revenue," was taken up and read, when Mr. Shull moved to amend by inserting an additional section, authorizing the levy of one;fortieth of one per cent. for benefit of Marion and Asheville Turnpike, and Turnpike from Patterson to Hickory Tavern.

Mr. Robinson gave notice of an amendment, striking out one-fortieth and inserting one hundreth, which prevailed.

Mr. Dudley called the ayes and noes. The call was sustained and amendment as amended lost. Ayes 17; Noes 63.

Ayes—Messrs. Dickey, Gambrel, Garrison, Grayson, Houston, Johnston of Buncombe, Jones of Caldwell, Kelsey, Mills, Robinson, Shull, Sparrow, Stanford, Waring, Welch and Wilcox—17.

Noes—Messrs. Armstrong, Atwater, Brooks, Broadfoot, Bryan of Jones, Bryson, Bunn, Carson, Copeland, Currie, Drake, Dudley, Dunham, Ellison, Faulkner, Fisher, Fletcher, Furr, Gatling, Goodwyn, Gullick, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Hill, Hinnant, Johnson of Edgecombe, Jones of Northampton, Kelly of Davie, Kelly of Moore, Lassiter, Loftin, Lucas, Lyon, Martin, Mabson, Marler, Maxwell, McAfee, McAllister, McCauley, Morgan of Montgomery, Mitchell, Newsome, Nicholson, Nisson, Page, Phillips, Paylor, Rankin, Reavis, Robbins, Smith of Anson, Smith of Halifax, Smith of Wayne, Stewart Strudwick, Withers and Woodhouse—63.

Mr. Mills moved to amend, levying 1 2-5th per cent on all taxable property to be applied to payment of interest on the ascertained debt of the State. Not adopted.

Mr. Page moved to amend, authorizing levy of 1–12 of 1 per cent for educational purposes only. Not adopted.

When bill passed third reading. Ayes 54; Noes 35.

Ayes—Messrs. Armstrong, Ashe, Atwater, Brooks, Bryson, Cawthorn, Carson, Copeland, Crawford, Dickey, Drake, Dunham, Ellison, Fletcher, Furr, Garrison, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hardy, Henderson, Houston, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Lucas, Martin, McAfee, McAllister, McCauley, Mills, Mitchell, Phillips, Paylor, Rankin, Reid, Robinson, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Waring, Welch, Withers, Willis, Womack and Woodhouse—54.

Noes—Messrs. Anderson, Broadfoot, Brown, Bryan of Jones,

Bunn, Chamberlain, Clinard, Collis, Currie, Dudley, Faulkner, Fisher, Gambrel, Gatling, Goodwyn, Gullick, Hargrove, Hill, Hinnant, Johnson of Edgecombe, Jones of Northampton, Kincade, Loftin, Lyon, Mabson, Marler, Maxwell, Morgan of Montgomery, Morgan of Wake, Newsom, Nicholson, Nisson, Page, Reavis, Regan, Robbins, Settle, Shull, Smith of Halifax, Sykes, Tucker, Wilcox and Williamson—35.

And ordered engrossed.

On motion of Mr. Ashe, bill "to authorize levy of a special tax in New Hanover," was taken up and passed second reading. Ayes 67; Noes 5.

Ayes—Messrs. Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryan of Jones, Bryson, Bunn, Cawthorn, Carson, Collis, Copeland, Currie, Drake, Dunham, Fisher, Furr, Gambrel, Garrison, Gatling, Grayson, Guyther, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hinnant, Jones of Caldwell, Jones of Northampton, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Loftin, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, Mitchell, Newsom, Nisson, Page, Phillips, Paylor, Rankin, Reavis, Reid, Robbins, Robinson, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Tucker, Waring, Withers, Willis, Wilcox, Womack, Woodhouse and Williamson—67.

Noes—Messrs. Dudley, Ellison, Hampton, Harris of Franklin and Smith of Halifax—5.

On motion of Mr. Kelly, bill to authorize the commissioners of Moore to issue bonds," was taken up and passed second reading. Ayes 68; Noes 5.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryan of Jones, Bryson, Carson, Collis, Copeland, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gullick, Grayson, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Hill, Hinnant, Johnson of Edgecombe, Jones of Caldwell, Kelly of Davie, Kelly of Moore, Lassiter, Loftin, Lucas, Lyon, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, Mor-

gan of Montgomery, Mills, Mitchell, Newsom, Nicholson, Nisson, Phillips, Paylor, Rankin, Reid, Regan, Robbins, Robinson, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker, Waring, Withers, Womack and Woodhouse—68.

Noes—Messrs. Bunn, Dudley, Ellison, Fletcher and Page—5.

When Mr. Williamson, by consent, introduced a bill "to authorize the commissioners of Franklin to issue bonds." Read and refered.

On motion of Mr. Dunham, bill "to authorize the commissioners of Wilson to issue bonds," was taken up and passed third reading. Ayes 69; Noes 7.

Ayes—Messrs. Anderson, Armstrong, Brooks, Broadfoot, Bryan of Jones, Bryson, Cawthorn, Carson, Collis, Copeland, Currie, Dickey, Drake, Dunham, Ellison, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Houston, Hill, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Loftin, Lucas, Lyon, Marler, Maxwell, McAfee, McAllister, McCauley, Morgan of Montgomery, Mills, Mitchell, Newsom, Nicholson, Nisson, Phillips, Paylor, Rankin, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tucker, Waring, Withers, Womack and Woodhouse—69.

Noes—Messrs. Bunn, Dudley, Faulkner, Mabson, Page, Smith of Halifax and Williamson—7.

On motion of Mr. Withers, bill "supplemental to act to compel sheriffs to settle taxes," was taken from the table and placed on the calendar,

And on motion, the House adjourned.

NIGHT SESSION.

The House met at 7½ P. M., pursuant to adjournment, Mr. Speaker in the chair.

A message was sent informing the Senate that the House has passed a resolution impeaching E. W. Jones, Judge of the Second Judicial District, and will in due time prefer articles against him,

When the managers of impeachment presented themselves at the Speaker's desk and received the following charge:

Gentlemen of the Board of Managers:

I herewith hand you the articles of impeachment adopted by the House of Representatives in their name, and in the name of all the good people of North Carolina, against E. W. Jones, Judge of the Second Judicial District, which you will present to the Senate.

(Signed,) THOS. J. JARVIS,
Speaker of the House of Reps.

And on motion, the House adjourned.

TUESDAY, March 28, 1871.

The House met at 10 A. M., Mr. Welch in the chair. Prayer by the Rev. Mr. Grayson, of the House.

The journals of yesterday was read and approved.

REPORTS.

Mr. Phillips reported from Board of Managers of Impeachment, that the Board had proceeded to the Senate and presented the articles adopted by the House, and that the answer was, "the Senate will take order."

Mr. Ashe, from Committee on Finance, reported unfavorably on bill 363, "an act in favor of pedd'ers;" on H. B. 396, "an act to repeal certain ordinances of the Convention;" on H. R. 260, "resoulution authorizing Public Treasurer to pay certain costs into Superior Court Clerk's office in Macon county;" H. B. 593, "to remove restrictions on contracts;" favorably an "act to provide a system of public instruction," (amendatory,) and asks discharge from consideration of "resolution in favor of Russel L. Jones;" also, "resolution in favor of J. G. Williams, sheriff of Chatham." The warrant being of a class that has been enjoined ot payment.

Mr. Jordan, from Judiciary Committee, reported "a bill to be entitled an act concerning the Registrar of Deeds;" favorably on S. B. 277, "to amend section 23, chapter 37, Revised Code, entitled 'deeds and conveyances;" on S. B. 262, "bill to be entitled an act amendatory of an act entitled proceedings in *habeas corpus*;" and on S. R. 546, resolution concerning the recent action of the Governor, the Chief Justice, and certain associate Justices of the Supreme Court;" recommending that S. B. 451, "an act to reduce the bond of Superior Court Clerks, &c., of Dare county, from ten to three thousand dollars;" and H. R., "resolution to impeach E. W. Jones, Judge of the Second Judicial Distaict of North Carolina," be laid on the table; and unfavorably on S. B. 259, "to amend an act entitled an act concerning the settlement of estates of deceased persons;" on S. B. 223, "an act in relation to justices of the peace and constables;" on H. B. 615, "to be entitled an act in relation to coroners;" on H. B. 584, "a bill to be entitled an act to authorize the Superior Courts to grant divorces in certain cases, and on H. B. 634, "a bill vesting county commissioners with certain discretionary powers."

Mr. Crawford, from Committee on Engrossed Bills, reported H. B. 640, "a bill to be entitled an act to allow the commissioners of Wilson county to issue bonds;" and H. B 552, "to incorporate an act to incorporate First Building and Loan Association of Statesville," as correctly engrossed.

Mr. McNeill, from Committee on Propositions and Grievances, reported favorably on S. B. No. 436, "to prevent the sale of spirituous liquors within two miles of Point Caswell, in New Hanover county," and on S. B. 450, to be entitled "an act for the relief of the tax payers of Buncombe county."

Mr. Martin, by consent, introduced a petition from citizens of Carteret, asking passage of an act in relation to registration of deeds. Read and referred to judiciary committee.

By Mr. Hill. A "bill for relief of collecting officers and their sureties. Read and referred to judiciary committee.

CALENDAR.

On motion of Mr. McAfee, "bill to amend an act to provide for a system of public instruction," was taken up. Substitute reported by Finance Committee was adopted, and passed second reading.

Mr. Page moved to lay the bill on the table.

Mr. Cawthorn called the ayes and noes. The call was sustained and motion failed. Ayes 2; Noes 80.

AYES—Messrs. Fisher and Page—2.

NOES—Messrs. Armstrong, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryson, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Dickey, Drake, Dudley, Dunham, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Jordan, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Loftin, Lucas, Luckey, Lyon, Martin, Mabson, Marler, McAfee, McAllister, McCauley, Morgan of Wake, Mills, Mitchell, Newsom, Nicholson, Rankin, Reavis, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker, Willis, Wilcox, Womack, Williamson and Young of Wake—80.

Mr. McAllister moved to make bill special order for 4 o'clock this evening. Mr. Jones, of Caldwell, moved to lay motion on the table, which prevailed.

When the hour for consideration of the special order having arrived, it was postponed until the matter under consideration be disposed of.

On motion of Mr Sparrow, the matter under consideration was postponed, and S. B. on same subject, was withdrawn from Committee on Education and placed on the calendar, when, on motion, it was taken up and read in connection with the H. B., when on motion of Mr. Ashe, the H. B. under consideration was substituted for the Senate bill and he called the previous question, the call was sustained, when the chair ruling the substitute to be on second reading, it passed second reading.

Mr. Hargrove moved to amend section 1st on third reading, striking out "section" and inserting "providing that education money collected shall remain in the county in which it is collected," and called the ayes and noes. The call was sustained and amendment lost. Ayes 32; Noes 47.

Ayes—Messrs. Bryant of Halifax, Bunn, Copeland, Crawford, Currie, Dunham, Faulkner, Fisher, Goodwyn, Guyther, Hargrove, Hardy, Johnston of Buncombe, Johnson of Edgecombe, Jones of Northampton, Loftin, Luckey, Lyon, Martin Mabson, McAllister, Morgan of Montgomery, Mitchell, Newsom, Page, Reavis, Robbins, Smith of Halifax, Smith of Wayne, Stewart, Sykes, Waring and Womack—32.

Noes—Messrs. Anderson, Armstrong, Ashe, Brooks, Bryson, Cawthorn, Carson, Clinard, Collis, Dickey, Ellison, Fletcher, Furr, Gambrel, Garrison, Gatling, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Hill, Jones of Caldwell, Jordan, Kelsey, Kincade, Lassiter, Marler, McAfee, McCauley, Mills, Nicholson, Paylor, Rankin, Reid, Regan, Robinson, Shull, Smith of Anson, Sparrow, Strudwick, Withers, Wilcox and Williamson—47.

And the bill passed third reading.

When, by consent, Mr. Shull introduced a resolution in favor of J. C. Brewster. Read and placed on the calendar.

Mr. Bryan, of Jones, a bill to amend "an act to incorporate the Planters Railroad Company." Read and referred to committee on internal improvements.

Mr. Sparrow, "a bill to be entitled an act to change the time for holding the Spring Term of the Superior Courts in Beaufort and Pitt counties." Read, and on motion of Mr. Sparrow, special order was postponed five minutes and bill passed second and third readings. Vote reconsidered and motion laid on the table.

Mr. Currie, from Committee on Enrolled Bills, reported as correctly enrolled, "articles of impeachment against Edmund W. Jones, Judge of the Second Judicial District of North Carolina;" "an act supplemental to an act entitled an act creating a commission to enquire into charges of corruption and fraud, ratified the 8th day of February, 1871," and "a resolution to provide for a casual deficit in the Treasury," and they were ratified.

A message was received from the Senate transmitting S. B. 89, "to be entitled an act to provide for the reduction and settlement of the public debt." Referred to finance committee.

S. B. 479, "a bill in relation to road steamers."

S. B. 670, "an act to repeal an act to amend the charter of the Western North Carolina Railroad Company," ratified 19th day of August, A. D. 1868, and for other purposes." Referred to committee on internal improvements; and that the Senate has adopted amendments to H. B. 495.

S. B. 556, "a bill to be entitled an act supplemental to an act passed by the present General Assembly, "entitled an act to lay off and establish the county of Swain," and asks concurrence of the House therein.

When Senate amendments to H. B. "supplemental to act to lay off and establish the county of Swain," were concurred in, and bill ordered enrolled.

Mr. Robinson in the chair.

The special order "being a bill for the better government of the Insane Asylum," was taken up and read.

When Mr. Gregory offered a substitute.

When, by consent, Mr. Chamberlain, from Committee on Finance, reported favorably "on Senate bill for relief of sheriffs of Wilson and Wayne counties."

A message was sent to the Senate transmitting "bill changing the time for holding Spring Term of the Superior Courts in Beaufort and Pitt counties," and asking concurrence in the passage of the same.

When on motion, the House adjourned.

AFTERNOON SESSION.

March 28th, 1871.

The House met at 3½ P. M., Mr. Welch in the chair.

The unfinished business being Mr. Gregory's substitute to the bill for the government of the Insane Asylum, was taken up; Mr. Waring having the floor.

Mr. Jordan moved to amend the substitute by inserting the names of Thos. Bragg, A. S. Merrimon, Seaton Gales, of Wake; A. M. Scales, Rochingham; J. S. Amis, of Granville; John H. Haughton, of Craven; M. W. Ransom, of Northampton; D. H. Hill, of Mecklenburg and J. G. Martin, of Buncombe, in section 2d.

When Mr. Luckey called the previous question, which was sustained.

When the Chair ruled the amendments offered by Committee on Asylum, were in order and they were adopted, and amendment to the substitute of Mr. Gregory was not adopted.

Mr. Jordan called the ayes and noes. The call was sustained, and the substitute was not adopted. Ayes 14; Noes 77.

AYES—Messrs. Armstrong, Ashe, Atkinson, Broadfoot, Dunham, Gregory, Johnston of Buncombe, Jordan, Kelly of Davie, Lucas, Paylor, Settle, Withers and Woodhouse—14.

NOES—Messrs. Anderson, Atwater, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Cawthorn, Carson, Clinard, Collis, Copeland, Crawford, Currie, Dickey, Drake, Dudley, Ellison, Faulkner, Fisher, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gullick, Grayson, Guyther, Hampton, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Hill, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Luckey, Lyon, Martin, Marler, McAfee, McAllister, McCauley, Mills, Mitchell, Newsom, Nicholson, Page, Phillips, Reavis, Reid, Regan, Robbins, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Stewart, Tucker, Waring, Welch, Willis, Wilcox, Womack, Williamson, and Young of Wake—77.

When the bill passed, as amended by the committee, second and third reading.

On motion, the vote was reconsidered, and the motion to reconsider laid on the table.

On motion of Mr. Ashe, bill "in relation to road steamers, was taken up.

Mr. Johnston, of Buncombe, moved to refer to committee on internal improvements. Motion was lost, and bill passed second reading.

On motion of Mr. Henderson, bill "to authorize levy of a special tax in Cabarrus county," was taken up and passed third reading. Ayes 76; Noes 6.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryan of Jones, Bryson, Bunn, Cawthorn, Carson, Chamberlain, Clinard, Collis, Currie, Dickey, Drake, Dunham, Fisher, Fletcher, Furr, Gambrel, Gatling, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Henderson, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Kelly of Davie, Kelly of Moore,

Kelsey, Kincade, Lassiter, Lottin, Luckey, Lyon, Martin, Marler, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Newsom, Nicholson, Phillips, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robbins, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tucker, Waring, Welch, Withers, Willis, Wilcox, Woodhouse and Young of Wake—76.

Noes—Messrs. Brown, Bryant of Halifax, Ellison, Faulkner, Smith of Halifax and Williamson—6.

Mr. Robinson in the chair.

On motion of Mr. Chamberlain, H. B. "to authorize commissioners of Camden county to levy a special tax," was taken up and passed second reading. Ayes 72; Noes 2.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Buxton, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Dickey, Dunham, Ellison, Fisher, Furr, Gambrel, Garrison, Gatling, Gullick, Grayson, Gregory, Guyther, Harris of Guilford, Hargrove, Henderson, Hill, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Luckey, Lyon, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Newsom, Nicholson, Page, Phillips, Paylor, Powell, Rankin, Reid, Regan, Robbins, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Strudwick, Tucker, Waring, Withers, Willis, Wilcox, Womack and Woodhouse—72.

Noes—Messrs. Faulkner and Reavis—2.

Leave of absence was granted Mr. Newsom for one week from Friday next.

On motion of Mr. McAllister, H. B. 666, "to authorize commissioners of Alamance to levy a special tax," was taken up and passed second reading. Ayes 70; Noes 2.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Currie, Dickey, Dunham, Ellison, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gullick, Grayson, Harris of Guilford, Har-

grove, Henderson, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe, Jones of Northampton, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Loftin, Lucas, Marler, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Newsom, Nicholson, Phillips, Paylor, Powell, Rankin, Reid, Regan, Robbins, Settle, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tucker, Waring, Welch, Withers, Willis, Womack and Woodhouse—70.

Noes—Messrs. Faulkner and Smith of Halifax—2.

On motion of Mr. Mitchell, bill "to authorize levy of a special tax in Stokes county," was taken up and passed second reading. Ayes 64; Noes 2.

Ayes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryan of Jones, Bryson, Bunn, Buxton, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Dunham, Ellison, Furr, Gambrel, Garrison, Gatling, Gullick, Harris of Guilford, Hargrove, Henderson, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Loftin, Lucas, Luckey, Marler, McAllister, McCauley, McNeill, Mills, Mitchell, Newsom, Nicholson, Phillips, Paylor, Powell, Rankin, Reid, Regan, Robbins, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker, Waring, Withers, Willis and Womack—62.

Noes—Messrs. Faulkner and Smith of Halifax—2.

On motion of Mr. Currie, "bill to authorize levy of a special tax in Cumberland county," was taken up and passed second reading. Ayes 59; Noes 6.

Ayes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryan of Jones, Bryson, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Dickey, Drake, Dunham, Ellison, Faulkner, Furr, Gambrel, Garrison, Gatling, Hampton, Harris of Guilford, Henderson, Hill, Hinnant, Johnston of Buncombe, Jones of Northampton, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Luckey, McAllister, McCauley, McNeill, Mills, Mitchell,

Nicholson, Phillips, Paylor, Powell, Reavis, Regan, Shull, Sparrow, Stanford, Stewart, Waring, Withers, Willis, Womack, Woodhouse and Young of Wake—59.

Noes—Messrs. Fletcher, Gullick, Hargrove, Johnson of Edgecombe, Robbins and Smith of Halifax—6.

On motion of Mr. Kelly, of Moore, "bill to authorize commissioners of Moore to issue bonds," was taken up on third reading and passed. Ayes 58; Noes 6, and ordered engrossed.

Ayes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Bunn, Buxton, Cawthorn, Carson, Clinard, Collis, Crawford, Currie, Dickey, Drake, Faulkner, Furr, Gambrel, Garrison, Gatling, Gullick, Hampton, Harris of Guilford, Hargrove, Houston, Hill, Johnston of Buncombe, Jones of Northampton, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Loftin, Lucas, Luckey, McAllister, McNeill, Mills, Mitchell, Nicholson, Phillips, Paylor, Powell, Rankin, Reid, Regan, Shull, Smith of Wayne, Sparrow, Stanford, Stewart, Waring, Withers, Womack, Woodhouse and Young of Wake—58.

Noes—Messrs. Ellison, Johnson of Edgecombe, Page, Robbins, Smith of Halifax and Willis—6.

When Mr. McAllister, from Committee on Finance, reported favorably on "resolution in favor of John S. McNeill and others," which, on motion, was taken up and passed second reading.

On motion of Mr. Stanford, S. B. "to prevent the sale of spirituous liquors within two miles of Fort Caswell, in New Hanover county," was taken up and passed second reading,

When Mr. Page moved to adjourn. The motion failed, and on motion the bill was put on its third reading and passed and ordered engrossed.

On motion of Mr. Carson, "bill to authorize levy of a special tax in Alexander county," was taken up and passed third reading. Ayes 63; Noes 4.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Bryson, Buxton, Cawthorn, Carson, Cham-

berlain, Clinard, Collis, Crawford, Currie, Dickey, Dunham, Ellison, Furr, Gambrel, Garrison, Gatling, Gullick, Grayson, Guyther, Hampton, Hargrove, Henderson, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe, Kelly of Moore, Kelsey, Kincade, Loftin, Marler, McAllister, McCauley, McNeill, Mills, Mitchell, Newsom, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robbins, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker, Waring, Withers, Wilcox, Womack Woodhouse and Young of Wake—63.

Noes—Messrs. Bunn, Faulkner, Smith of Halifax and Willis—4.

On motion of Mr. Dunham, "bill to incorporate the Roanoke and Tar River Agricultural Society," was taken up and passed second and third readings and ordered engrossed.

On motion, the House adjourned.

WEDNESDAY, March 29, 1871.

The House met at 10 A. M. Mr. Speaker Jarvis in the chair. Prayer by the Rev. Dr. Mason, of the city.

The journals of yesterday were read and approved.

RECEPTION OF MEMORIALS.

By Mr. Ashe, a memorial from members of the bar of New Hanover county, read, and on motion, transmitted to the Senate, (asking repeal of Code of Civil Procedure.)

INTRODUCTION OF BILLS.

By Mr. Johnson, of Edgecombe, a bill to incorporate Jackson Lodge No. 1 of Good Templars. Read and referred to committee on corporations.

By Mr. Marler, a bill to amend an act to establish the weight of a bushel of wheat. Read and referred.

Mr. Crawford, from Committee on Engrossed Bills, reported H. B. 583, a bill to be entitled "an act to authorize commissioners of Alexander county to levy a special tax," as correctly engrossed.

Mr. Welch, from Committee on Internal Improvements, reported favorably on bill to amend H. B. 684, "an act to amend an act entitled an act to incorporate the Planters Railroad Company;" and majority report of amendments to H. B. 612, "a bill to incorporate the Haywood and Cane Creek Railroad Company."

CALENDAR.

On motion of Mr. Brown, bill to be entitled "an act to preventthe sale of spirituous liquors near Silver Hill, in Davidson county," was taken up and passed second and third readingsand ordered engrossed.

On motion of Mr. Paylor, bill "to authorize the commissioners of Caswell county to levy a special tax, was taken up and passed second reading. Ayes 72; Noes 5.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Chamberlain, Collis, Copeland, Crawford, Dickey, Drake, Fletcher, French, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Henderson, Hill, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelsey, Kincade, Lassiter, Loftin, Luckey, Lyon, Martin, Marler, Maxwell, McAfee, McAllister, McNeill, Mitchell, Newsom, Nicholson, Paylor, Powell, Rankin, Reid, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Tucker, Waring, Welch, Withers, Wilcox, Womack and Woodhouse—72.

Noes—Messrs. Dudley, Faulkner, Johnson of Edgecombe, Smith of Halifax and Williamson—5.

On motion of Mr. Dunham, "resolution of enquiry into the conduct of John Pool, Senator from N. C., was taken up, and under call for the ayes and noes, passed. Ayes 59; Noes 31.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Johnston of Buncombe, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Strudwick, Waring, Withers, Wilcox, Womack and Woodhouse—59.

Noes—Messrs. Brown, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fletcher, French, Garrison, Goodwyn, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Morgan of Wake, Newsom, Nisson, Page, Robbins, Smith of Halifax, Tucker, Willis and Williamson—31.

On motion of Mr. Settle, bill "to authorize the commissioners of Rockingham county to issue bonds was taken up and passed second reading. Ayes 75; Noes 4.

Ayes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Collis, Crawford, Drake, Dunham, Ellison, Fisher, Fletcher, French, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gullick, Grayson, Gregory, Guyther, Harris of Guilford, Hargrove, Hardy, Henderson, Hill, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Luckey, Lyon, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morgan of Wake,

Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Sparrow, Stewart, Strudwick, Waring, Withers, Wilcox, Womack and Woodhouse—75.

Noes—Messrs. Dudley, Faulkner, Tucker and Williamson—4.

On motion of Mr. Shull, "resolution in favor of J. C. Brewster," was taken up and passed second and third readings.

Mr. Smith, of Wayne, from Committee on Engrossed Bills, reported H. B. 672, a bill "to be entitled an act to authorize the commissioners of Moore county to issue bonds;" H. B. 293, a bill in "relation to the Insane Asylum of N. C.;" and H. B. 678, substitute for S. B. 68, "to amend an act entitled an act to provide for a system of public instruction," as correctly engrossed.

On motion of Mr. Crawford, the special order was suspended and he introduced a resolution in favor of James H. Enniss, which, on motion, was taken up and passed second and third readings and ordered engrossed.

By consent, Mr. Robbins introduced a bill to be entitled an act to create the office of Assistant Superintendent of Public Instruction." Read and referred to committee on education.

On motion of Mr. Strudwick, bill "to authorize commissioners of Yancey to change the line of certain townships," was taken up and failed to pass for want of a quorum.

Special order being bill "to authorize transfer of $100,000 of State stock from North Carolina Railroad to Atlantic and North Carolina Railroad, and to consolidate part of North Carolina with Atlantic and N. C. Railroad," was taken up.

When Mr. Rankin offered a substitute to section 2, transferring $600,000 of State stock, which was adopted.

When Mr. Ashe moved the insertion of an additional section authorizing the lease of part of North Carolina Railroad to the highest bidder in case the stockholders of the North Carolina Railroad refuse to consolidate, which was lost for want of a quorum.

Mr. Ashe renewed his motion to adopt the section, and called the ayes and noes.

When Mr. Brown moved to lay the whole matter on the table and called the ayes and noes. The call was not sustained and the motion lost.

Mr. Ashe's amendment was adopted. Ayes 60; Noes 19.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Brown, Bryan of Jones, Bryson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Drake, Dudley, Dunham, Ellison, Fisher, Fletcher, French, Furr, Garrison, Grayson, Gregory, Hardy, Henderson, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Loftin, Lucas, Martin, Maxwell, McAfee, McAllister, McCauley, McNeill, Morgan of Wake, Newsom, Page, Phillips, Paylor, Powell, Reid, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker, Withers, Willis and Womack—60.

Noes—Messrs. Broadfoot, Buxton, Cawthorn, Carson, Faulkner, Gambrel, Gullick, Hampton, Hargrove, Houston, Kincade, Luckey, Lyon, Marler, Rankin, Robbins, Settle, Waring and Wilcox—19.

When Mr. Rankin offered several amendments, making the bill to conform with substitute to section 2d, which were adopted. Also, an amendment by Mr. Luckey, striking out three years in section 1, line three, and inserting ten months, which was adopted.

And under call for the ayes and noes the bill passed third reading. Ayes 53; Noes 44.

Ayes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Bryan of Jones, Bryson, Bunn, Collis, Copeland, Crawford, Drake, Dudley, Dunham, Ellison, Fisher, Fletcher, French, Grayson, Hardy, Henderson, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelsey, Loftin, Lucas, Luckey, Martin, Maxwell, Morgan of Wake, Mills, Newsom, Page, Phillips, Paylor, Powell, Rankin, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of

Wayne, Sparrow, Stanford, Stewart, Tucker, Withers, Willis, Womack and Woodhouse—53.

Noes—Messrs. Anderson, Broadfoot, Brown, Bryant of Halifax, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Currie, Faulkner, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gullick, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Houston, Hill, Johnston of Buncombe, Jones of Northampton, Jordan, Kincade, Lassiter, Lyon, Marler, McAfee, McAllister, McCauley, McNeill, Nicholson, Reid, Regan, Robbins, Settle, Waring, Wilcox, Williamson and Young of Wake —44.

On motion of Mr. Womack, bill "to incorporate Haywood and Cane Creek Railroad," was taken up and passed third reading and ordered engrossed.

When on motion, special order was postponed for fifteen minutes; and

Mr. Jones, from Committee on Claims, reported favorably on S. R. No. 434, "in favor of Mrs. Jane Hinton;" S. R. 380, "resolution in favor of Burgess Montgomery;" H. R. 386, "resolution for the protection of the property of the State from fire;" no action on H. R. No. 226, "in favor of Geo. W. Thompson, administrator, &c;" unfavorably on S. R. 333, "resolution in favor of William A. Bradshaw;" and H. R. 207, resolution "in favor of executors of Kimbro Jones."

When Mr. Page, by consent, introduced a bill "for the protection of married men." Read and referred to judiciary committee.

Mr. Strudwick in the chair.

Mr. Smith, of Anson, from Committee on Engrossed Bills, reported as correctly engrossed, bill "to be entitled an act to raise revenue," and H. B. 330, "to incorporate Roanoke and Tar River Agricultural Society."

Mr. Ashe, from Finance Committee, reported favorably on bill "to ascertain and provide for the reduction of the State debt," which, on motion, was made the special order for this afternoon at 4 o'clock.

On motion of Mr. Johnston, of Buncombe, bill to be entitled "an act for relief of the tax payers of Buncombe," was taken up and passed third reading under call for the ayes and noes. Ayes 47; Noes 21.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atkinson, Brooks, Broadfoot, Bryson, Carson, Chamberlain, Collis, Currie, Dickey, Ellison, Furr, Gambrel, Garrison, Grayson, Gregory, Hampton, Henderson, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, Mills, Mitchell, Nicholson, Paylor, Regan, Scott, Smith of Wayne, Sparrow, Stanford, Stewart, Withers, Womack and Woodhouse—47.

Noes—Messrs. Bryan of Jones, Buxton, Cawthorn, Copeland, Dudley, Faulkner, Fisher, Goodwyn, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Morgan of Wake Page, Robbins, Smith of Halifax, Williamson and Young of Wake—21.

On motion of Mr. Gregory, special order was further postponed and "resolution regarding protest of members," &c., was taken up and made special order for 3½ o'clock p. m.

On motion of Mr. Clinard, bill "in relation to the corporation of the town of Thomasville," was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Chamberlain, H. B. "to authorize levy of a special tax in Camden," was taken up and passed third reading. Ayes 77; Noes 5.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Bryson, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Dickey, Drake, Dunham, Ellison, Gambrel, Garrison, Gatling, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hill, Johnston of Buncombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Loftin, Lucas, Luckey, Lyon, Martin, Marler, Max-

well, McAllister, McCauley, McNeill, Morgan of Wake, Mills, Newsom, Nicholson, Paylor, Rankin, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Halifax, Sparrow, Stanford, Stewart, Waring, Welch, Withers, Willis, Wilcox, Womack, Woodhouse and Young of Wake—77.

Noes—Messrs. Dudley, Faulkner, Fletcher, Page and Williamson—5.

On motion of Mr. Houston, bill "concerning Rock Spring Camp Ground, and to appoint trustees," was taken up, and passed second and third readings and ordered engrossed.

When special order was taken up (bill to be entitled an act to amend an act to charter the Western North Carolina Railroad) and passed second reading.

On motion it was made the special order for to-morrow at 11 o'clock.

On motion of Mr. Loftin, bill "in relation to road steamers," was taken up and passed third reading and ordered engrossed.

On motion of the same, bill "to amend an act to incorporate the Planters Railroad Company," was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Currie, bill "to extend an act to empower the commissioners of Cumberland to levy a special tax," was taken up and passed third reading. Ayes 58; Noes 13.

Ayes—Messrs. Anderson, Armstrong, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Garrison, Grayson, Harris of Guilford, Hardy, Henderson, Hill, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Kincade, Lucas, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, Mitchell, Nicholson, Phillips, Paylor, Powell, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Waring, Withers, Wilcox and Womack —58.

Noes—Messrs. Dudley, Faulkner, Fletcher, Gullick, Hamp-

ton, Hargrove, Lyon, Morgan of Wake, Page, Smith of Halifax, Tucker, Williamson and Young of Wake—13.

And ordered engrossed.

A message was received from the Senate transmitting S. B. 334, "in relation to a Board of Internal improvements;" S. B. 477, "in relation to the meadows, in Rockingham county;" S. B. 494, in relation to salaries of certain officers;" and S. R. 673, "to print a certain act;" and S. R. 681, "authorizing the Enrolling Clerk to employ additional assistance," and asking concurrence.

Also, that the Senate has refused to concur in the House substitute for S. B. 68, to amend an act to provide a system of public instruction, and asking a committee of conference.

Bills and resolutions were referred.

When, by consent, Mr. Gregory introduced a resolution allowing the Speaker to take up bills at his discretion, and moved to suspend the rules to consider the resolution, and it was taken up and adopted.

Vote on motion was re-considered, and resolution was amended inserting for four days instead of remainder of the session, and passed as amended.

When bill "to authorize the levy of a special tax in Beaufort county," was taken up and passed second reading. Ayes 62; Noes 9.

Ayes—Messrs. Anderson, Ashe, Atwater, Atkinson, Brooks, Bryson, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Dickey, Drake, Dunham, Ellison, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gullick, Grayson, Gregory, Harris of Guilford, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, Mills, Mitchell, Newsom, Paylor, Powell, Reid, Robbins, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Willis, Womack and Woodhouse—62.

Noes—Messrs. Dudley, Faulkner, Fletcher, Hargrove, Hardy, McNeill, Morgan of Wake, Tucker and Williamson—9.

H. B. "to authorize levy of a special tax in Pitt county," was taken up and passed second reading. Ayes 63; Noes 13.

Ayes—Messrs. Anderson, Ashe, Atwater, Atkinson, Brooks, Brown, Bryson, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Dickey, Dunham, French, Furr, Gambrel, Garrison, Gatling, Gore, Grayson, Gregory, Harris of Guilford, Hardy, Henderson, Johnston of Buncombe, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McNeill, Mills, Mitchell, Phillips, Paylor, Powell, Reid, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Waring, Womack and Woodhouse—63.

Noes—Messrs. Bryan of Jones, Dudley, Faulkner, Fletcher, Gullick, Guyther, Hargrove, Jones of Northampton, Morgan of Wake, Newsom, Robbins, Smith of Halifax and Tucker—13.

Bill "in relation to townships in Cherokee," was taken up and passed second and third readings and ordered engrossed.

Bill to be entitled, "an act concerning Ball's Creek Camp Ground," was taken up and passed second and third readings and ordered engrossed.

H. R. 275, "regarding smoking in the Hall," was taken up.

Mr. Maxwell moved to postpone indefinitely, and the motion did not prevail.

Mr. Dunham moved to lay on the table, and the motion prevailed.

S. B. 583, "for the relief of sheriffs of Wayne and Wilson and other counties," was taken up and passed second reading, when Mr. Withers moved to amend by striking out September, and insert June. Lost.

Mr. Loftin, to amend by striking out 30th of September, and insert 1st Monday in June. Adopted and bill as amended passed third reading.

Mr. Currie from Committee on Enrolled Bills, reported as

correctly enrolled, "an act to authorize the commissioners of Macon county to levy a special tax;" "an act to limit the powers of township trustees in the counties of Cherokee, Clay, Jackson and other counties;" "an act to authorize the commissioners of Cabarrus county to levy a special tax;" "an act to amend an act to incorporate the Bank of Mecklenburg;" "an act supplemental to an act passed the present General Assembly, entitled an act to lay off and establish a county by the name of Swain," and "an act authorizing the county commissioners of Hertford to levy and collect a special tax," and they were ratified.

When on motion, the House adjourned.

AFTERNOON SESSION.

March 29th, 1871.

The House met at 3½, P. M., Mr. Speaker in the chair.

H. B. on second reading, a bill to be entitled "an act to change the townships of Lincoln county," was taken up and passed second and third readings and ordered engrossed.

Mr. French, by consent, introduced a resolution "not allowing per diem to members of the House, except managers of impeachment and Speaker of the House," and moved to suspend the rules to consider the resolution. Motion did not prevail for want of a quorum.

Mr. Loftin called the special order, "resolution concerning Geo. H. Gregory, in matter of protest on the vote on the Convention bill."

When Mr. Powell, from the Committee on Engrossed Bills, reported "bill to incorporate the Haywood and Cane Creek Railroad company," as correctly engrossed, and a message was sent transmitting the same to the Senate and asking concurrence.

When the hour for consideration of special order S. B. "to provide for the reduction and settlement of the State debt" having arrived, it was, on motion, postponed till the matter under consideration is disposed of.

Mr. Stanford called the previous question. The call was sustained and the resolution failed for want of a quorum.

Mr. Loftin renewed the motion to pass the resolution, and called the ayes and noes. The call was sustained and resolution failed. Ayes 30; Noes 44.

Ayes—Messrs. Atkinson, Broadfoot, Buxton, Currie, Dunham, Fletcher, French, Gambrel, Garrison, Gullick, Hampton, Hargrove, Hardy, Houston, Hill, Johnson of Edgecombe, Joyner of Johnston, Joyner of Pitt, Kincade, Loftin, Lucas, Lyon, Marler, Page, Regan, Scott, Settle, Smith of Anson, Smith of Wayne and Stanford—30.

Noes—Messrs. Ashe, Atwater, Brooks, Bryant of Halifax, Bryson, Clinard, Copeland, Crawford, Dudley, Ellison, Faulkner, Fisher, Furr, Goodwyn, Grayson, Guyther, Harris of Guilford, Henderson, Johnston of Buncombe, Jones of Northampton, Kelly of Davie, Kelsey, Lassiter, Luckey, Martin, Maxwell, McAfee, McAllister, McCauley, Mills, Paylor, Powell, Robbins, Robinson, Shull, Smith of Halifax, Stewart, Welch, Withers, Willis, Womack, Woodhouse, Williamson and Young of Wake—44.

Mr. Rankin, by consent, reported from Committee on Propositions and Grievances, favorably on "resolution in favor of T. W. Patterson, sheriff of Rockingham."

Mr. Anderson, by consent, introduced a resolution "instructing Committee on Printing to have certain copies of the proceedings of the impeachment trial of William W. Holden printed."

Mr. Marler offered an amendment, when Mr. Robinson moved to postpone the matter for the present. Motion, by consent, was changed to refer the matter to joint committee on printing. The discussion on the subject continued till the

special order was called, which was taken up, "being a bill for the reduction of the State debt and to settlement of the same."

When Mr. Welch moved to print the bill and make it special order for to-morrow at 4 p. m., and the motion prevailed.

When, motion of Mr. Robinson, to refer resolution in regard to printing impeachment matter, to joint committee on printing prevailed.

Resolution in favor of T. W. Patterson, was taken up and passed second and third readings and ordered engrossed.

H. B. "to provide for the enlargement and completion of the Albemarle and Chesapeake Canal," was taken up, and

Mr. Guyther moved to make bill special order for 12 m. to-morrow, and motion prevailed.

H. R. "for protection of the property of the State from fire," was taken up and passed second reading, and resolution made special order for 1½ o'clock to-morrow.

On motion of Mr. Johnston, of Buncombe, "bill regarding a Convention of the people," was taken up and made special order for 12½ o'clock to-morrow.

When on motion, the House adjourned.

THURSDAY, March 30th, 1871.

The House met at 10 A. M., Mr. Speaker in the chair. Prayer by Rev. Mr. Hardy, of the House.

The reading of the journals of yerterday was dispened with.

MEMORIALS.

A memorial from George H. Gregory, citizen of Martin county. Referred to committee on propositions and grievances.

REPORTS OF COMMITTEES.

Mr. Broadfoot. from Committee on Corporations reported favorably on S. B. 513, to incorporate the Fairmount Foundry Company, of Chatham county; and H. B. 684, an act to incorporate Jackson Lodge No. 1, Independent Order of Good Templars, in Tarboro', Edgecombe county.

Mr. McCauley, from Committee on Counties, Towns, &c., reported unfavorably on S. B., to extend the corporate limits of the town of Fayetteville, and on memorials of citizens in reference thereto. On calendar.

INTRODUCTION OF RESOLUTIONS.

By Mr. Brown, a resolution that no member shall speak more than five minutes on any measure, motion or amendment. Read and placed on the calendar.

BILLS.

By Mr. French, a bill to be entitled an act to authorize the Bladen Land Company to issue bonds. Read and placed on the calendar.

By Mr. Goodwyn, a bill to empower the commissioners of Halifax county to levy a special tax. Read and placed on the calendar.

By Mr. Ashe, a bill to incorporate the Waccamaw Baptist Church, in Columbus county, near Flemington. Read and placed on the calendar.

CALENDAR.

H. B., to authorize commissioners of Caswell to levy a special tax, was taken up and passed third reading. Ayes 65; Noes 3.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atkinson, Brooks, Broadfoot, Bryson, Bunn, Buxton, Cawthorn, Carson,

Chamberlain, Clinard, Collis, Copeland, Crawford, Dickey, Drake, Fletcher, French, Furr, Garrison Gatling, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Hill, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Moore, Kincade, Lassiter, Loftin, Lucas, Luckey Lyon, Martin, Maxwell, McAfee, McAllister, Morgan of Wake, Mills, Nicholson, Paylor, Powell, Rankin, Regan, Robbins, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Sykes, Withers, Womack and Woodhouse—65.

Noes—Messrs. Brown, Faulkner and Johnson of Edgecombe —3.

By consent, Mr. Jones, of Caldwell, introduced a bill to provide for a cheap chattel mortgage. Referred to judiciary committee.

By Mr. Mills, a bill to prescribe a form of execution in certain cases. Read and placed on calendar.

By Mr. Robbins, a resolution regarding adjournment. Placed on calendar.

Bill to incorporate the town of Kernersville was taken up and passed second and third readings and ordered enrolled.

Bills of House and Senate, with reports of conference committee, were taken up. (Regarding the change of county line between Edgecombe and Nash counties.)

Mr. Johnson, of Edgecombe, moved the adoption of majority report.

Mr. Welch, to amend by adopting report of the minority.

When Mr. Drake called the previous question.

Mr. Loftin called the ayes and noes, which was sustained, and the minority report was adopted. Ayes 55; Noes 26.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gullick, Grayson, Gregory, Henderson, Houston, Hill, Johnson of Buncombe, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincade Lassiter, Lucas, Luckey,

Maxwell, McAfee, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Smith of Anson, Smith of Wayne, Sparrow, Strudwick, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and Williamson—55.

Noes—Messrs. Bryant of Halifax, Bunn, Collis, Copeland, Ellison, Faulkner, Fletcher, French, Garrison, Goodwyn, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Mabson, McAllister, Morgan of Wake, Mills, Page, Reavis, Robbins, Smith of Halifax, Tucker and Willis—26.

Mr. Luckey, by consent, introduced a resolution regarding the Roll of Honor. Read and placed on the calendar.

By Mr. Marler. A bill regarding bills of costs due on the old Superior Court dockets.

By Mr. Jordan. A bill to be entitled an act concerning the registration of deeds. Read and placed on the calendar.

Bill to authorize levy of a special tax in Alamance was taken up and passed third reading. Ayes 62 ; Noes 4.

Ayes—Messrs. Anderson, Ashe, Atkinson, Brooks, Broadfoot, Bryant of Halifax, Bryson, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Dickey, Drake, Ellison, Garrison, Grayson, Hampton, Hargrove, Hardy, Henderson, Hill, Jones of Caldwell, Jones of Northampton, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Lyon, Martin, Mabson, Marler, Maxwell, McAllister, McCauley, Mills, Mitchell, Nicholson, Page, Paylor, Rankin, Regan, Robbins, Scott, Shull, Smith of Halifax, Smith of Wayne, Sparrow, Stewart, Strudwick, Waring, Withers, Wilcox and Woodhouse—62.

Noes—Messrs. Dudley, Faulkner, Fletcher and Willis—4.

Vote on motion reconsidered, and motion to reconsider laid on the table.

When the special order being a "bill to repeal an act to amend an act to charter the W. N. C. Railroad Company," was taken up, amended, on motion of Mr. Johnston, of Buncombe, "in-

sert in section two, line seventeen, after the words "westward" the words "and its branch to Paint Rock," and passed third reading.

The vote by which the bill passed third reading was reconsidered and motion laid on the table.

Messrs. Dunham, Broadfoot, Hargrove, McAllister and Buxton were announced as House branch of Joint Committee to investigate charges against John Pool, Senator from North Carolina.

When messages were sent to the Senate transmitting and asking concurrence in the passage of H. B. 638, to authorize commissioners of Caswell to levy a special tax; H. R. 148, in favor of G. L. Patterson, sheriff; H. B. 605, to authorize levy of a special tax in Cumberland; H. B. 635, to allow commissioners of Camden to levy a special tax; H. B. 597, concerning Rock Spring Camp Ground in Lincoln county; H. B. 682, to amend an act to incorporate the Planters Railroad Company.

Also, announcing that the House has agreed to appointment of Committee of Conference on bill to amend an act to provide for a system of Public Instruction, and that Messrs. McAfee, Hill, Harris, of Guilford, Hardy and Ellison were appointed said committee.

Resolution in favor of F. N. Strudwick, was taken up and passed second and third readings.

On motion, vote by which bill to authorize levy of special tax in Caswell county, was reconsidered and motion laid on the table, and a message was sent transmitting the same to the senate.

Mr. Ashe, by consent, reported from Committee on Finance, an act to authorize the commissioners of Franklin county to issue bonds, recommending its passage with amendments.

A message was received from the Senate, transmitting resolution in favor of James W. Schenk, Jr., sheriff of New Hanover, and asking concurrence, which was read and passed its

several readings under suspension of the rules and ordered enrolled.

When another message was received from the Senate, transmitting and asking concurrence in the passage of S. B. 518, an act to incorporate the Warrenton and Macon Turnpike Company;" S. B. 613, "to amend chapter 258 of private laws of 1858–9, and S. B. 517, read and referred to committee on corporations.

S. R. 651, in favor of S. Jones, read and referred to committee on claims.

Also, engrossed amendments to H. B. 48, S. B. 402, in regard to voting on separate ballot,

And H. B. 84, S. B. 483, to be entitled an act for the relief of James M. Young, sheriff of Buncombe county,

And to H. B. 543, S. B. 674, to be entitled an act to amend an act to provide for the collection of taxes on property, polls, and incomes.

When amendments to H. B. 48, regarding voting on separate ballot was concurred in.

Senate amendments to H. B. 84, for relief of James M. Young, sheriff of Buncombe, were concurred in.

A message was sent transmitting H. B. 666, to authorize commissioners of Alamance county to levy a special tax, and asking concurrence therein.

CALENDAR RESUMED.

Bill to authorize levy of a special tax in Beaufort, was taken up and passed third reading. Ayes 62; Noes 4.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Carson, Chamberlain, Clinard, Collis, Crawford, Dickey, Drake, Dunham, Ellison, Fisher, Furr, Gambrel, Garrison, Grayson, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Johnston of Buncombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan,

Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Loftin, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, Mills, Mitchell, Nicholson, Paylor, Powell, Reid, Regan, Robbins, Robinson, Shull, Smith of Anson, Sparrow, Stanford, Wilcox, Womack and Woodhouse—62.

Noes—Messrs. Dudley, Faulkner, Sykes and Williamson—4.

Bill to authorize commissioners of Rockingham county to issue bonds, was taken up and passed third reading. Ayes 64; Noes 3.

Ayes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryant of Halifax, Buxton, Cawthorn, Carson, Collis, Copeland, Crawford, Dickey, Dunham, Ellison, Fisher, French, Furr, Gambrel, Garrison, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Henderson, Houston, Hill, Johnston of Buncombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Lyon, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morgan of Wake, Mitchell, Nicholson, Powell, Reid, Regan, Robinson, Scott, Settle, Shull, Waring, Withers, Willis, Wilcox and Woodhouse—64.

Noes—Messrs. Faulkner, Fletcher and Williamson—3.

Mr. McAfee, from Committee on Education, reported unfavorably on bill to establish the office of Assistant Superintendent of Public Instruction.

Mr. Robinson, by consent, introduced a resolution authorizing principal clerk of the House to employ additional clerical assistance, which was adopted.

H. B. "to provide for enlargement and completion of Albemarle and Chesapeake canal," was taken up.

Mr. Gregory moved to amend, "providing that a majority of the directors be resident citizens of the State of North Carolina."

On motion of Mr. Rankin, bill referring to consolidation of Atlantic and North Carolina and part of North Carolina Rail-

roads, and to transfer of stock, was amended and placed in hands of the enrolling clerk.

When Mr. Robinson, from Committee on Enrolled Bills, reported an act for the relief of tax payers of Buncombe county; an act to authorize the city of Wilmington to perfect a title to a certain lot; an act to repeal an act entitled an act to prevent the sale of spirituous liquors within Silver Hill, Davidson county; an act to prevent the sale of spirituous liquors within two miles of Port Caswell, in New Hanover; an act to abolish the special courts in Wilmington and Newbern; an act to incorporate the Nevassa Guano Company of Wilmington; an act to change the time for holding the superior court of New Hanover county; an act in relation to Road Steamers; an act to authorize the Albermarle Swamp Land Company to construct a Railroad from Pantigo to Indian River in Beaufort county; an act in relation to obstructions in Nottaleh and Hiawassee Rivers in Cherokee county; an act to incorporate the Co-operative Saving and Loan Association; an act to change the time of holding the spring term of the superior court of Beaufort and Pitt counties for the year 1871; an act to provide for a tax collector in Gaston county; an act to incorporate the Statesville Air Line Railroad Company; an act to incorporate the town of Murphy, in Cherokee county, as correctly enrolled and they were ratified.

When amendment of Mr. Gregory was adopted and bill passed second reading.

Mr. Sykes moved to strike out Albemarle and Chesapeake canal. Not adopted, and bill passed third reading and ordered engrossed.

The hour for the consideration of the special order having arrived, being a bill concerning a Convention of the people, it was on motion postponed and

Mr. Sparrow introduced a resolution, by consent, authorizing Auditor to audit accounts presented by board of managers as fees for counsel employed by them in the impeachment of W. W. Holden. Read and placed on the calendar.

When Mr. French moved to postpone indefinitely the bill concerning a Convention of the people.

Mr. Martin called the ayes and noes. The call was not sustained.

Mr. French moved to lay on the table.

Mr. Mills called the ayes and noes; not sustained and motion lost.

Mr. Martin called the ayes and noes on the motion to postpone the matter indefinitely. The call was sustained and the motion lost. Ayes 33; Noes 62.

Ayes—Messrs. Brown, Bryant of Halifax, Buxton, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Mabson, Morgan of Wake, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes, Tucker, Waring, Willis and Williamson—33.

Noes—Messrs. Anderson, Armstrong, Atwater, Atkinson, Broadfoot, Bryson, Bunn, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Strudwick, Welch, Withers. Wilcox and Woodhouse—62.

Mr. Nicholson moved to postpone and make bill special order for to-morrow at 12 m. Withdrawn.

When Mr. French moved to re-insert "two thirds of the members of both Houses of the General Assembly concurring," on which he called the ayes and noes.

Mr. Johnston, of Buncombe, called the previous question, which was sustained.

Amendment of Mr. French did not prevail. Ayes 37; Noes 61.

Ayes—Messrs. Brooks, Brown, Bryan of Halifax, Bryson, Buxton, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Gatling, Goodwyn, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Marler, Morgan of Wake, Page, Phillips, Reavis, Robbins, Smith of Halifax, Tucker, Willis and Williamson—37.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bunn, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gullick, Grayson, Gregory, Henderson, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly, of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Mabson, Maxwell, McAfee, McAllister, McNeill, Morgan of Montgomery, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Strudwick, Waring, Welch, Withers, Wilcox and Woodhouse—61.

The question recurring on the passage of the bill on third reading,

Mr. Johnston, of Buncombe, called the ayes and noes, which was sustained, and the bill passed. Ayes 61; Noes 40.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryan of Jones, Bryson, Chamberlain, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gullick, Grayson, Gregory, Henderson, Honston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Jonston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Martin, Maxwell, McAfee, McAllister, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Strudwick, Waring, Welch, Withers and Woodhouse—61.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Gatling, Goodwyn, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Mabson, McCauley, Morgan of Montgomery, Morgan of Wake, Nisson, Phillips, Reavis, Robbins, Smith of Halifax, Stewart, Sykes, Tucker, Willis, Williamson and Young of Wake—40.

Messrs. Marler, Hampton, Harris and Clinard being excused.

Amendment of the House ordered engrossed and sent to the senate.

A message was sent transmitting to the senate, bill to be entitled an act concerning Rock Spring Camp Ground in Lincoln county, and to incorporate trustees of the same; H. B. 638, authorizing the commissioners of Camden county to levy a special tax; H. B. 682, a bill to be entitled an act to amend an act to incorporate the Planters Railroad Company;

Also a message transmitting engrossed amendments to S. B. 88, in reference to consolidation of A. N. C. and part of the N. C. R. R. and to transfer of stock;

And amendments engrossed to S. B. 670, to amend the charter of the W. N. C. R. R. (repealing the act to amend;)

Also, transmitting engrossed resolutions, resolution 307, in reference to the capitol,

And resolution in favor of Jas. H. Ennis, which were reported as correctly engrossed from committee.

A message was received from the Senate transmitting S. B. 665, "to enable the Western North Carolina Railroad to be completed to Salem." On calendar.

S. R. 504, "in favor of Patrick McGowan."

S. B. 475, to incorporate the Verona Mining and Manufacturing Company. Referred to committee on corporations.

S. B. 576, to incorporate the Southern Manufacturing Company. Referred to committee on corporations.

S. B. 517, "to incorporate the Cape Fear Guano Company."

S. B. 349, to enable aliens to take hold of and convey lands. Referred to judiciary committee.

S. B. 678, to incorporate Yadkin Railroad Company, and returning H. B. 80, S. B. 557, in favor of G. W. and B. K. Dickey; and H. B. 458, S. B. 489, to amend an act to incorporate the Warm Springs Colony, with engrossed amendments thereto, all of which were concurred in.

Also, S. R. 694, in favor of the clerks of the court of impeachment; and S. B. 468, to incorporate the Savings Bank of Magnolia, and asking concurrence in the passage of the same.

When Mr. Jordan introduced a resolution in reference to Friday Jones. Placed on the calendar,

And on motion, the House adjourned.

EVENING SESSION.

March 30th, 1871.

The House met at 3½ P. M., Mr. Speaker Jarvis in the chair.

A message was sent, transmitting to the Senate and asking concurrence in the passage of H. B. 452, to provide for the employment and completion of the Albemarle and Chesapeake Canal.

On motion of Mr. Welch, the rule of the House requiring bills and resolutions to remain in the House one day after passage, was suspended.

Senate resolution, in favor of Clerks of Court of Impeachment was taken up and, on motion, laid on the table.

Senate amendments to H. B. to be entitled an act to amend an act to provide for the collection of taxes on property, polls and incomes, were concurred in.

Leave of absence was granted Mr. Collis, from Monday next.

Resolution for the protection of the property of the State from fire was taken up.

Mr. Jones called the previous question.

Mr. Withers called the ayes and noes and resolution failed. Ayes 18; Noes 55.

Ayes—Messrs. Ashe, Brooks, Bryant of Halifax, Cawthorn, Collis, Copeland, Crawford, Ellison, Fisher, Garrison, Jones of Caldwell, Lassiter, Martin, Morgan of Wake, Mills, Phillips, Scott, Sparrow and Young of Wake—18.

Noes—Messrs. Anderson, Armstrong, Broadfoot, Bunn, Chamberlain, Currie, Dickey, Drake, Dudley, Dunham, Faulkner, Fletcher, Furr, Gambrel, Gatling, Gullick, Grayson, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Houston, Hill, Johnston of Buncombe, Johnson of Edgecombe, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Loftin, Mabson, Marler, Maxwell, McAfee, McAllister, McCauley, Mitchell, Nicholson, Page, Paylor, Rankin, Reavis, Robbins, Settle, Shull, Stewart, Sykes, Waring, Withers, Wilcox, Woodhouse and Williamson —55.

Mr. Waring moved to reconsider.

A message was sent transmitting to the Senate engrossed amendments to bill to provide for a Convention of the people and asking concurrence.

Bill to regulate the issuing of executions upon judgments for recovery of money, was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Ashe, Senate bill for reduction and payment of the State debt, was made the special order for to-morrow at 4 p. m.

Mr. French, by consent, introduced a bill to amend section 29, chap. 225 of laws of 1869–'70. Read and placed on the calendar.

Senate resolution in regard to a commission to investigate the State's interest in the Cape Fear Navigation Company, was taken up and passed second and third readings and ordered enrolled.

H. B. to incorporate the Waccamaw Baptist Church in

Columbus county, was taken up and passed second and third readings and ordered engrossed.

Bill to amend section 29, chapter 225 of laws of 1869–'70, was taken up and passed second reading, and on motion, made special order for 10½ a. m. to-morrow.

S. B. to be entitled an act concerning municipal officers was taken up and passed second and third readings and ordered enrolled.

H. B. to appoint trustees to the Pitt Academy in Greenville was taken up and passed second and third readings and ordered engrossed.

S. B. to authorize commissioners of Johnston county to issue bonds was taken up and passed second reading. Ayes 68; Noes 4.

Ayes—Messrs. Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryson, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Dickey, Drake, French, Furr, Gambrel, Garrison, Goodwyn, Gullick, Grayson, Gregory, Hampton, Harris of Franklin, Hargrove, Hardy, Hill, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Lyon, Martin, Marler, Maxwell, McAllister, McCauley, Morgan of Wake, Mills, Mitchell, Nicholson, Phillips, Paylor, Rankin, Reid, Robbins, Smith of Anson, Smith of Halifax, Smith of Wayne, Stewart, Waring, Withers, Willis, Wilcox, Womack, Woodhouse and Young of Wake—68.

Noes—Messrs. Bunn, Dudley, Ellison and Williamson—4.

S. B. to authorize levy of a special tax, in Stokes county, was taken up and passed third reading. Ayes 62; Noes 7.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Buxton, Cawthorn, Carson, Clinard, Collis, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Garrison, Gatling, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Hargrove, Hardy, Hill, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of

Moore, Kincade, Lassiter, Luckey, Lyon, Martin, Marler, Maxwell, McAllister, Mills, Mitchell, Nicholson, Phillips, Paylor, Rankin, Reid, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Stewart, Sykes, Tucker, Waring, Welch, Wilcox, Womack and Woodhouse—62.

Noes—Messrs. Brown, Bryant of Halifax, Bunn, Dudley, Fletcher, Johnson of Edgecombe, and Williamson—7.

S. B. to reduce the bonds of Superior Court Clerk, &c., for the county of Dare, was taken up and failed to pass for want of a quorum.

Mr. Dunham renewed the motion to pass the bill and it passed second reading. On motion, it was put on its third reading.

Mr. Loftin moved to amend by striking out 3,000 and insert 5,000. Not adopted, and bill passed and ordered enrolled.

Mr. Johnston in the chair.

S. B. to enable the North Western Railroad Company to complete their Road to Salem, was taken up and passed second and third readings and ordered engrossed.

H. B. on second reading in relation to the Waynesville Academy, was taken up and passed second and third readings and ordered engrossed.

Mr. Broadfoot, from Committee on Corporations, reported favorably on bill to incorporate the Warrenton and Macon Academy.

S. B. to prescribe the duties of Keeper of the Capitol, was taken up and failed to pass for want of a quorum. Motion was renewed, and

Mr. Maxwell, called the ayes and noes. The call was sustained and bill passed second reading. Ayes 52; Noes 15.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Cawthorn, Carson, Crawford, Currie, Dickey, Drake, Dunham, French, Furr, Grayson, Gregory, Hampton, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas,

Luckey, Martin, Marler, Maxwell, McAllister, McCauley, Mills, Mitchell, Nicholson, Paylor, Powell, Robinson, Settle, Shull, Smith of Anson, Stewart, Waring, Welch, Withers, Wilcox and Womack—52

Noes—Messrs. Bunn, Collis, Copeland, Dudley, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Page, Smith of Halifax, Tucker, Willis and Williamson —15.

Motion to put the bill on third reading prevailed, and it passed third reading.

Leave of absence from to-morrow was granted Mr. Paylor, on account of sickness in family.

H. B. to amend the charter of the Caldwell and Watauga Turnpike Road, was taken up and passed second and third readings, and ordered engrossed.

Leave of absence was granted Mr. Bryson from Monday next, and leave was extended to Mr. Johns for three days.

House resolution in favor of Mrs. Jane Hinton, was taken up and passed second and third readings and ordered enrolled.

Leave of absence from Monday next was granted Mr. Dickey for three days.

A message was received from the Senate transmitting and asking concurrence in the passage of S. B. 611, "to amend the charter of Edenton."

S. B. in relation to the liabilities of husbands upon contracts. Referred to judiciary committee.

S. B. 497, "to punish persons guilty of obtaining goods, money, &c., under false pretences." (On calendar by request.)

S. B. 512, to prevent the forging and counterfeiting the private marks, tokens, stamps, &c., of mechanics, manufacturers, &c. Read and referred to judiciary committee.

S. B. 666, to repeal chapter 257 laws of 1868–'9. On calendar.

S. B. 509, to incorporate the Marion High School. On calendar.

S. B. 567, to authorize the commissioners of Anson county to issue bonds. On calendar.

S. B. 567, to prevent improper employment of legal counsel. Read and referred to judiciary, and returning with engrossed Senate amendments.

H. B. 305, S. B. 553, to amend section 199, chap. 4, of Code of Civil Procedure, concerning attachments; and to H. B. 577, S. B. 672, for the better government of the penitentiary.

Senate amendments to bill for the better government of the penitentiary, were concurred in, and bill ordered enrolled.

Senate amendments to H. B. 305, to amend section 199, chap. 4, of Code of Civil Procedure, concerning attachments, were concurred in.

Mr. Ashe, by consent, reported favorably on resolution authorising the enrolling clerk to employ additional clerical assistance; which was taken from the calendar and passed second and third readings.

Mr. Clinard, from Committee on Engrossed Bills, reported as correctly engrossed, H. B. 591, an act concerning Ball's Creek Camp Ground in Catawba county, &c. H. B. 445, on bill concerning townships in the county of Cherokee. H. B. 624, a bill to change the townships in Lincoln county. H. R. 293, resolution in favor of T. N. Strudwick, and H. B. 606, a bill to be entitled an act to levy a special tax for the county of Beaufort.

On motion the house adjourned.

FRIDAY, March 31, 1871.

The house met at 10 a. m., Mr. Speaker in the chair.

Prayer by Rev. Mr. Collis of the House.

The reading of the journals of yesterday was, on motion, dispensed with.

A message was sent transmitting engrossed bill reported by

Mr. Clinard yesterday evening, and announcing concurrence in Senate amendments to H. B. 48, "in regard to voting on separate ballot."

H. B. 577, "for the better government of the penitentiary."

H. B. 239, "for relief of R. McMillan, sheriff of Robeson county."

H. B. 84, "for relief of James M. Young, sheriff of Buncombe," and H. B. 458, "to amend an act to incorporate Warm Springs Colony."

REPORTS OF COMMITTEES.

Mr. Broadfoot, from committee on corporations, reported, asking reference to committee on internal improvements, of S. B. 678, "an act to incorporate the Yadkin Railroad Company," and recommending the passage of S. B. 613, to amend chap. 258 of laws of 1858-'9, "bill to be entitled an act to incorporate the Cape Fear Guano Company, S. B. 517;" also "bill to incorporate the Mattamuskeet Council, No. 82, Friends of Temperance;" H. B. 658, also bill to be entitled an act to incorporate the town of Whiteville in Columbus county, H. B. 653;" also "an act to incorporate Hollywood Cemetery, H. B, 664," recommending that section 1st be amended by striking out 50 and inserting 25, and that the bill so amended do pass.

Also, "an act to require justices of the peace to file proceedings in the Superior Court when defendant pleads no assets."

Mr. Welch, from committee on internal improvements, reported "a bill to incorporate the Carthage and Randolph Railroad Company," recommending that the last clause of the 10th section be stricken out, and that the bill so amended do pass. 633, H. B.

Mr. Robinson, from the Committee on Enrolled Bills, made the following report:

"An act to change the line between the counties of Edge-

combe and Nash;" "an act to incorporate Kinston and Kenansville Railroad Company;" "an act to incorporate the Newport Peabody Educational Association;" "an act to amend section 1, chapter 208, public laws 1868–'9, entitled an act to provide for the election of commissioners of navigation and pilotage for the port of Beaufort, North Carolina;" "an act to incorporate the town of Kernersville;" "an to authorize the commissioners of Stokes county to levy special tax;" "an act to authorize the commissioners of Rockingham county to issue bonds for the purpose of funding and paying off the county debt;" "an act incorporate the Louisburg Manufacturing Company;" "an act to incorporate the Georgia and North Carolina Railroad Company."

"Resolution in favor of J. W. Schenck, jr., sheriff of New Hanover;" resolution raising a committee of inquiry into the conduct of John Pool, U. S. Senator; "resolution in favor of John Crisp, of Macon county;" "resolution authorizing the enrolling clerk to employ clerical assistance."

Mr. Jordan, from Committee on Judiciary, reported "resolutions concerning Richmond M. Pearson, Chief Justice," recommending that they should pass, H. R. 290;

Also, bill to be entitled "an act to prevent the useless employment of legal counsel, passage recommended, S. B. 667;

Also, a bill "to be entitled an act to amend the Code of Civil Procedure."

Mr. Shull, from Committee on Public Buildings, reported passage "resolution in favor of Patrick McGowan," S. R. 50, recommended.

Mr. Rankin, from Committee on Salaries and Fees, reported favorably on Senate bill "in relation to the salaries of certain officers," (State Geologist, Superintendent of Insane Asylum, and Keeper of the Capitol.)

Mr. Anderson, from Committee on Counties and Towns, &c., reported "an act to authorize the county commissioners of Wayne county to levy a special tax for county purposes," and

asking that the committee be released from further consideration of this matter, H. B. 660.

Also, bill "to protect the city of Raleigh from accident by fire," S B. 576, and recommending its passge.

Also, "an act to give homesteads to actual settlers in the counties of Craven and Carteret," H. B. 661, recommending its passage.

INTRODUCTION OF BILLS.

By Mr. Young, of Wake, a bill to be entitled "an act to empower the county commissioners of Wake county to levy a special tax." Passed first reading and placed on the calendar.

CALENDAR.

Special order being a bill to be entitled "an act to amend sec. 29, chap 223 laws of 1869–'70," was taken under consideration,

When Mr. French offered a substitute in H. B. to be entitled "an act for the relief of J. W. Schenck, Jr., sheriff of New Hanover county," which was adopted and passed second and third readings and ordered engrossed.

Bill "to authorize commissioners of Johnston county to issue bonds for the purpose of funding and paying off the county debt," was taken up and passed third reading. Ayes 68; Noes 9.

Ayes—Messrs. Anderson, Armstrong, Ashe, Brooks, Broadfoot, Bryson, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Dickey, Drake, Dunham, Ellison, Fletcher, Furr, Garrison, Gullick, Grayson, Gregory, Guyther, Hargrove, Hardy, Henderson, Hill, Hinnant, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lottin, Lucas, Luckey, Lyon, Marler, Maxwell, McAfee, McAllister, Morgan of Montgomery, Mitchell, Nicholson, Nis-

son, Paylor, Reid, Robbins, Robinson, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Strudwick, Waring, Withers, Wilcox, Womack, Woodhouse and Young of Wake—68.

Noes—Messrs. Brown, Bryant of Halifax, Bunn, Dudley, Goodwyn, Johnson of Edgecombe, Smith of Halifax, Willis and Williamson—9.

Senate bill "to incorporate the Warrenton and Macon Turnpike Company," was taken up and passed second and third readings and ordered enrolled.

Mr. Hill, by consent, introduced a resolution "that no member be allowed to speak more than five minutes on any subject." Placed on the calendar.

Mr. Withers moved to take Senate resolution, "in favor of the Clerks of the Court of Impeachment," from the table. Motion did not prevail.

Mr. Currie, from Committee on Enrolled Bills, reported "an act to amend section 199 chapter 4, of the Code of Civil Procedure, concerning attachments;" an act to incorporate the South River Draining Company;" "an act to reduce the bond of the Superior Court Clerk and Probate Judge of Dare county, N. C., from ten thousand to three thousand dollars;" an act defining the duties of the Keeper of the Capitol;" "an act to incorporate the North Carolina Stock Raising and Fishing Company;" resolution in favor of J. W. Patterson, late sheriff of Rockingham county, as correctly enrolled and they were ratified.

Mr. Smith, of Anson, reported from Committee on Engrossed Bills, as correctly engrossed, H. B. 377, a bill to appoint trustees of Pitt Academy, Greenville;" H. B. 695, "to incorporate the Waccamaw Baptist Church, in Columbus county;" H. B. 425, "to regulate the issuing of executions upon judgments for the recovery of money;" H. B. 513, "a bill in relation to the Waynesville Female Academy."

H. B. to authorize commissioners of New Hanover county, to levy a special tax was taken up and passed. Ayes 75; Noes 3.

Ayes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryant of Halifax, Bryson, Bunn, Buxton, Cawthorn, Carson, Copeland, Crawford, Currie, Dickey, Drake, Dunham, Fisher, Fletcher, French, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Hargrove, Hardy, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Lucas, Luckey, Lyon, Martin, Mabson, Marler, Maxwell, McAllister, McCauley, Morgan of Montgomery, Morgan of Wake, Mitchell, Nisson, Phillips, Paylor, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stewart, Strudwick, Sykes, Withers, Willis, Wilcox, Womack, Woodhouse and Young of Wake—75.

Noes—Messrs. Brown, Henderson and Williamson—3.

Bill to authorize the county commissioners of Pitt county to levy a special tax, was taken up and passed second reading. Ayes 73; Noes 2.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryant of Halifax, Bryson, Buxton, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Drake, Dunham, Ellison, Fisher, French, Furr, Gambrel, Garrison, Gatling, Goodwyn, Grayson, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kincade, Lassiter, Luckey, Lyon, Martin, Mabson, Marler, Maxwell, McCauley, Morgan of Montgomery, Morgan of Wake, Mitchell, Nicholson, Nisson, Paylor, Rankin, Reid, Regan, Robbins, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Sykes, Tucker, Willis, Wilcox, Womack, Woodhouse and Young of Wake—73.

Noes—Messrs. Dudley and Williamson—2.

Bill to authorize the commissioners of Columbus county to

levy a special tax, was taken up and passed second reading. Ayes 68; Noes 5.

Ayes—Messrs. Anderson, Armstrong, Atwater, Atkinson, Brooks, Broadfoot, Bryant of Halifax, Bunn, Cawthorn, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Dickey, Drake, Dunham, Fisher, Furr, Gambrel, Garrison, Goodwyn, Gullick, Grayson, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Houston, Hill, Hinnant, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Lyon, Martin, Mabson, Marler, Maxwell, McCauley, Morgan of Montgomery, Morgan of Wake, Mitchell, Paylor, Rankin, Reid, Regan, Robbins, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stewart, Strudwick, Tucker, Waring, Wilcox, Womack, Woodhouse and Young of Wake —68.

Noes—Messrs. Dudley, Page, Shull, Withers and Williamson—5.

S. B., to authorize "the commissioners of Anson county to issue bonds," was taken up and passed second reading. Ayes 62; Noes 1.

Ayes—Messrs. Anderson, Armstrong, Atwater, Brooks, Broadfoot, Bryant of Halifax, Bryson, Bunn, Buxton, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Drake, Dunham, Fisher, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gullick, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelsey, Kincade, Lassiter, Luckey, Lyon, Martin, Marler, Maxwell, McAfee, McCauley, Morgan of Montgomery, Mitchell, Nisson, Paylor, Reid, Robbins, Scott, Shull, Smith of Anson, Smith of Wayne, Stewart, Tucker, Waring, Womack and Woodhouse—62.

Noes—Mr. Dudley—1.

"An act authorizing the commisioners of Franklin county to issue bonds," was taken up, when Mr. Waring offered a

substitute, which was adopted, and substitute passed second reading. Ayes 59; Noes 3.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Bryant of Halifax, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Dickey, Drake, French, Furr, Garrison, Gatling, Goodwyn, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Hill, Hinnant, Johnston of Buncombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Martin, Marler, Maxwell, Powell, Robbins, Robinson, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Waring, Withers, Wilcox, Womack, Williamson and Young of Wake—59.

Noes—Messrs. Brown, Dudley and Willis—3.

Senate Bill "to authorize the commissioners of Nash county to levy a special tax," was taken up and passed second reading. Ayes 63; Noes 4.

Ayes—Messrs. Anderson, Armstrong, Ashe, Brooks, Bryant of Halifax, Carson, Clinard, Collis, Crawford, Currie, Dickey, Drake, Faulkner, Fisher, French, Furr, Gambrel, Garrison, Goodwyn, Gullick, Gregory, Hampton, Harris of Guilford, Hargrove, Hardy, Houston, Hill, Hinnant, Johnston of Buncombe, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Martin, Marler, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Nicholson, Nisson, Paylor, Powell, Rankin, Reid, Regan, Robbins, Robinson, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Strudwick, Waring, Welch, Withers, Willis, Womack, Woodhouse and Young of Wake—63.

Noes—Messrs. Brown, Bunn, Cawthorn and Dudley—4.

S. B. "to amend an act to incorporate the McLean Hook and Ladder Co. of Fayetteville," was taken up

And amended, on motion of Mr. Currie, by striking out "fire" and inserting "hook and ladder," and passed second and third readings.

H. B. on second reading "to establish the boundary line between Granville and Person counties," was taken up and passed second and third readings and ordered eugrossed.

H. R. "in favor of Nazra Hinton and Ransom Harrison,' was taken up and passed second and third readings and ordered engrossed.

House resolution "to authorize the payment of expenses incurred in the impeachment of W. W. Holden," was taken up and failed for want of a quorum.

Mr. Sparrow renewed the motion to pass the resolution and called the ayes and noes.

Mr. Dudley moved to amend by striking out 5,000 and insert 2,500.

Mr. Gregory moved to make resolution special order for tomorrow at 11 a. m., and motion prevailed.

House Bill to be entitled "an act to provide for the laying off and construction of a public highway in the counties of Burke and Mitchell," was considered and passed second reading. Ayes 64; Noes 14.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Carson, Clinard, Copeland, Crawford, Ellison, Fletcher, French, Furr, Gambrel, Garrison, Gatling, Gullick, Grayson, Guyther, Hampton, Hargrove, Hinnant, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Moore, Kincade, Lassiter, Luckey, Martin, Mabson, Marler, Maxwell, Mills, Mitchell, Nicholson, Nisson, Paylor, Powell, Rankin, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stewart, Strudwick, Waring, Welch, Withers, Wilcox, Womack, Woodhouse, Williamson and Young of Wake—64.

Noes—Messrs. Bunn, Cawthorn Collis, Drake, Dudley, Fisher, Henderson, Houston, Johnson of Edgecombe, Morgan of Montgomery, Morgan of Wake, Page, Robbins and Tucker —14.

Mr. Strudwick, by consent, introduced a bill "to be entitled

an act to incorporate the Oxford and Hillsboro' Railroad Company." Passed first reading and referred to committee on internal improvements.

Bill to be entitled "an act to empower the county commissioners of Halifax to levy a special tax," was taken up and passed second reading. Ayes 59; Noes 12.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Bryant of Halifax, Bryson, Bunn, Cawthorn, Chamberlain, Clinard, Collis, Copeland, Drake, Ellison, Fisher, French, Garrison, Goodwyn, Grayson, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Hinnant, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kincaid, Lassiter, Luckey, Mabson, Marler, Maxwell, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Nicholson, Nisson, Page, Paylor, Powell, Rankin, Robbins, Scott, Settle, Smith of Halifax, Stewart, Strudwick, Tucker, Waring, Welch, Withers, Wilcox, Woodhouse and Young of Wake—59.

Noes—Messrs. Dudley, Fletcher, Gambrel, Gullick, Gregory, Houston, Johnson of Edgecombe, Martin, Reid, Regan, Shull, and Williamsom—12.

A message was received from the Senate transmitting and asking concurrence in the passage of S. B. 168, "to amend the charter of the Bladen Land Company," and S. B. 699, "to amend an act to declare the French Broad and Jones Gap Road a turnpike;" also a message transmitting S. B. 619, "to incorporate the town of Whitaker's, in the county of Edgecombe;" S. B. 461, "to prevent the obstruction of Newport river, in Carteret county," and returning H. B. 612, "to incorporate the Haywood and Cane Creek Railroad Company," with amendments thereto, which were concurred in.

Other bills were referred.

S. B. "to incorporate Marion High School in McDowell county," was taken up and passed second and third readings and ordered enrolled.

Mr. Jones, by consent, introduced a "resolution in regard to the readings of bills." Placed on the calendar.

S. B. "in relation to the meadows in Rockingham county," was taken up and passed second and third readings and ordered engrossed.

H. B. "for the relief of R. R. McCall, sheriff of Caldwell county," was taken up and passed second and third readings and ordered engrossed.

Mr. Withers moved to grant leave of absence to Mr. Garrison, from Monday next. Motion lost.

A message was sent transmitting to the Senate H. B. 441, "a bill to require justices of the peace to file proceedings in the Superior Court when defendant pleads no assets;" H. B. 476, "a bill to amend the Code of Civil Procedure," and H. R. 233, in favor of A. O. Kerr, which had been reported by committee on engrossed bills as correctly engrossed.

Mr. McNeill, from Committee on Claims, reported favorably on claim of L. C. Dasheill.

Mr. Sparrow, from Committee on Judiciary, reported a "bill to be entitled an act to protect the rights of maimed men," recommending its passage; H. B. 686.

H. B. "to authorize the commissioners of Harnett county to appoint a processioner for said county," was taken up and passed second and third readings and ordered enrolled.

S. R. "concerning the Centennial Anniversary of American Independence," was taken up and passed second and third readings and ordered enrolled.

H. B. on second reading, a bill "to incorporate the Carthage and Randolph Railroad Company," was taken up and amended by striking out the latter clause of 10th section as reported by committee, and passed second reading. Ayes 64; Noes 3.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Bryant of Halifax, Cawthorn, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Dickey, Drake, Ellison, Fletcher, Furr, Gambrel, Garrison, Grayson, Guyther, Harris of Guilford, Hargrove, Hardy, Hill, Johnston of Buncombe,

Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lyon, Mabson, Maxwell, McNeill, Morgan of Montgomery, Mills, Mitchell, Nisson, Phillips, Paylor, Powell, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stewart, Strudwick, Tucker, Waring, Withers, Willis, Wilcox, Womack, Woodhouse and Young of Wake—64.

Noes—Messrs. Bunn, Gullick and Williamson—3.

S. B. "to incorporate the Fairmount Foundry Company of Chatham county," was taken up and passed second and third readings and ordered engrossed.

H. B. to be entitled "an act to require justices of the peace to file proceedings in the Superior Courts where defendant pleads no assetts," was taken up and passed second and third readings and ordered engrossed.

H. R. "in favor of A. O. Keer," was taken up and passed second and third readings and ordered engrossed.

Mr. Withers, from Judiciary Committee, reported on H. B. 450, "an act in regard to solicitors in criminal prosecutions," that it do not pass.

H. B. on second reading, to be entitled "an act to amend the Code of Civil Procedure," was taken up and passed second and third readings and ordered engrossed.

S. B. on second reading, to be entitled "an act for the protection of Fair Grounds," was taken up and passed second and third readings and ordered enrolled.

H. R. "in favor of heirs of William J. Lougee," was taken up and failed to pass second reading.

Mr. Robinson moved to reconsider the vote by which resolution failed to pass the second reading, and motion did not prevail for want of a quorum.

H. B. 641, "to regulate the time for holding the terms of the Superior Courts of the 11th Judicial District," was taken up and, on motion of Mr. Collis, laid on the table; when

Mr. Ashe renewed the motion to reconsider the vote by

which resolution in favor of heirs of William J. Lougee failed to pass its second reading, and called the ayes and noes. The call was sustained and motion to reconsider prevailed. Ayes 68; Noes 11.

Ayes—Messrs. Ashe, Atwater, Brooks, Bryant of Halifax, Bryan of Jones, Cawthorn, Carson, Clinard, Collis, Copeland, Crawford, Currie, Dickey, Drake, Ellison, Furr, Gambrel, Garrison, Goodwyn, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hill, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Luckey, Lyon, Martin, Mabson, Marler, McNeill, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Nicholson, Nisson, Phillips, Paylor, Reavis, Robinson, Settle, Shull, Smith of Anson, Sparrow, Stewart, Sykes, Tucker, Withers, Willis, Wilcox, Womack, Woodhouse, Williamson and Young of Wake—68.

Noes—Messrs. Armstrong, Bryson, Bunn, Chamberlain, Dudley, Gullick, Hinnant, Joyner of Johnston, Maxwell, Rankin and Waring—11.

And the resolution passed second reading.

Mr. Hinnant called the ayes and noes on third reading. The call was not sustained and resolution failed to pass third reading. Ayes 38; Noes 39.

Ayes—Messrs. Ashe, Atwater, Broadfoot, Brown, Bunn, Cawthorn, Carson, Clinard, Collis, Crawford, Dudley, Ellison, Garrison, Grayson, Gregory, Hampton, Hargrove, Jones of Caldwell, Kelly of Davie, Kelly of Moore, Lassiter, Luckey, Lyon, Mabson, Morgan of Montgomery, Morgan of Wake, Mills, Nisson, Phillips, Robinson, Smith of Anson, Sparrow, Tucker, Tomlinson, Willis, Wilcox, Womack and Young of Wake—38.

Noes—Messrs. Anderson, Armstrong, Brooks, Bryan of Jones, Bryson, Chamberlain, Copeland, Fletcher, French, Furr, Gambrel, Gullick, Guyther, Hardy, Hinnant, Johnston of Buncombe, Jones of Northampton, Joyner of Johnston,

Kelsey, Kincade, Martin, Marler, Maxwell, McCauley, McNeill, Mitchell, Nicholson, Page, Rankin, Reavis, Regan, Shull, Smith of Wayne, Stewart, Sykes, Welch, Withers, Woodhouse and Williamson—39.

Mr. French in the chair.

Mr. McNeill, from Committee on Propositions and Grievances, reported on memorial of George H. Gregory, citizen of Martin county, asking discharge from further consideration, as the course pointed out in the memorial had been subsequently taken by the House.

House resolution "requesting our Senators and Representatives in Congress to use their influence to secure an appropriation for a public United States building in the city of Newbern," was taken up, when

Mr. Waring moved to amend by inserting the city of Charlotte. Adopted.

Mr. Cawthorn moved to amend by striking out "Newbern and Charlotte" and insert "Raleigh."

Amendment did not prevail, and amendment inserting Charlotte was stricken out.

Resolution, unamended, passed.

Leaves of absence were granted to Mr. Tucker for one day, and Mr. Womack till Monday night.

On motion the House adjourned.

EVENING SESSION.

MARCH 31st, 1871.

The House met at 3:30 P. M., Mr. French in the chair.

House bill to be entitled an act "concerning the Clerks of Superior Courts," was taken up and passed second and third readings and ordered engrossed.

House bill to be entitled "an act to advance the agricultural

interests of the State," was taken up and failed to pass second reading.

House bill on second reading, "to incorporate the Asheville and Virginia Railroad company," was taken up and passed second and third readings and ordered engrossed.

Senate bill to declare the "Brevard and Jones Gap road a Turnpike," was taken up and passed second and third readings and ordered enrolled.

Senate bill on second reading, "to amend the charter of the Bladen Land Company," was taken up and passed second and third readings and ordered enrolled.

Mr. Welch in the chair.

S. B. "to be entitled an act in relation to the State Geologist, Superintendent of Insane Asylum and the Keeper of the Capitol," and their salaries, was taken up.

Mr. Withers moved to amend by inserting after the word "Geologist" and before the word "and" at an annual salary of two thousand dollars."

Mr. Sparrow, to amend amendment by inserting $2,500, which was lost.

When Mr. Waring called the ayes and noes. The call was sustained and amendment was adopted.

Mr. Jarvis moved to strike out the second section of the bill.

Mr. Withers called the ayes and noes. The call was sustained.

Mr. McNeill moved a proviso to the section that the salary of the Superintendent shall not exceed $2,500 and the Assistant $1,500.

Mr. Wilcox moved to amend ——

Mr. Sparrow, to lay on the table, and called the ayes and noes. The call was sustained, and motion to table prevailed. Ayes 55; Noes 35.

AYES—Messrs. Ashe, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Carson, Chamberlain, Copeland, Crawford, Currie, Drake, Dudley, Ellison, Fisher, Gambrel, Garrison,

Gatling, Guyther, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Hill, Johnson of Edgecombe, Jones of Northampton, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Loftin, Lucas, Luckey, Lyon, Mabson, Morgan of Montgomery, Mills, Nicholson, Nisson, Page, Phillips, Reavis, Reid, Regan, Robbins, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Tucker, Welch, Willis, Wilcox, Williamson and Young of Wake—55.

Noes—Messrs. Anderson, Atwater, Brooks, Bryson, Clinard, Dickey, Fletcher, Furr, Gullick, Gregory, Hampton, Harris of Guilford, Hinnant, Johnston of Buncombe, Joyner of Johnston, Jordan, Kelsey, Kincade, Lassiter, Marler, Maxwell, McAfee, McCauley, Mitchell, Paylor, Powell, Rankin, Robinson, Scott, Settle, Stewart, Waring, Withers, Womack and Woodhouse—35.

Mr. Robinson, from Committee on Enrolled Bills, reported "an act to extend the time for the registration of grants, deeds, and other conveyances;" an act to amend an act to provide for the enlargement, increase of depth and completion of the Albemarle and Chesapeake Canal," ratified on the second day of February, 1857," and "to repeal and amend certain other statutes," and "resolution in favor of Mrs. Jane Hinton," and they were ratified.

Mr. Smith, of Anson, reported from Committee on Engrossed Bills, H. B. 651, a bill "to be entitled an act to levy a special tax for the county of Pitt;" H. B. 555, "a bill to be entitled an act to establish the boundary line between Granville and Person counties;" H. B. 655, "an act to authorize the county commissioners of Harnett county to appoint a processioner;" H. R. 285, resolution "in favor of Nazra Hinton and Ransom Harrison;" H. B. "a bill in favor of R. R. McCall, sheriff of Caldwell county;" H. B. 618, S. B. 353;" House amendments to S. B. "to amend an act to incorporate the McLean Hook and Ladder Company;" and H. R. 281, "a resolutionrequesting our Senators and Representatives in Congress to use their influence to secure an appropriation to build a public building in the city of

Newbern," as correctly engrossed, and a message was sent transmitting the same to the Senate and asking concurrence in their passage.

A message was received from the Senate transmitting and asking concurrence in the passage of S. B. 492, "to amend an act entitled an act in relation to proceedings in contempt and to further define the offence of contempt." Placed on the calendar.

S. B. 689, "bill to incorporate the Mount Airy and Central Railroad Company. Read and placed on the calendar.

S. B. 618, "in favor of the sureties of H. B. Guthrie;" S. R. 680, "in favor of J. L. Harrison," and asking concurrence therein, and that the Senate has concurred in House amendments to H. B. 578, S. B. 571, "to submit the question of Convention or no Convention to the people and provide for the election of delegates;" H. B. 619, S. B. 306, in relation to the limits of Thomasville," and to H. B. 674, S. B. 583, "for the relief of the sheriffs of Wayne and Wilson counties."

When a message was received from his Excellency the Governor, announcing that E. W. Jones, Esq., Judge of the second judicial district, had offered his resignation and that he had not accepted the same as articles of impeachment against him, preferred by the House, were before the Senate.

Mr. Sparrow, by consent, introduced a resolution "to withdraw articles of impeachment against E. W. Jones, judge, &c.

Mr. Jordan moved to refer resolution to committee on Judiciary. Motion lost, and the resolution was adopted.

Mr. Harris, of Guilford, by consent, introduced a resolution "authorizing and instructing the Secretary of State to have certain bills printed." Placed on the calendar.

Mr. Tucker rose to a question of privilege, and moved to take up bill to be entitled an act to create the office of an Assistant Superintendent of Public Instruction from the table.

Mr. —— called the ayes and noes. The call was sustained and the bill was taken from the table. Ayes 45; Noes 30.

Ayes—Messrs. Ashe, Atwater, Brooks, Bryant of Halifax,

Bunn, Chamberlain, Copeland, Crawford, Dudley, Ellison, Fisher, Fletcher, Gambrel, Garrison, Gregory, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Kelly of Davie, Kelsey, Loftin, Lucas, Lyon, Mabson, Morgan of Montgomery, Nisson, Page, Phillips, Reavis, Reid, Robbins, Smith of Anson, Smith of Halifax, Sparrow, Tucker, Waring, Willis, Woodhouse, Williamson and Young of Wake—45.

Noes—Messrs. Anderson, Armstrong, Bryson, Buxton, Cawthorn, Carson, Currie, Dickey, Drake, Gullick, Hinnant, Joyner of Johnston, Kelly of Moore, Kincade, Lassiter, Martin, Marler, Maxwell, McAfee, McAllister, Mills, Mitchell, Rankin, Robinson, Shull, Smith of Wayne, Stewart, Welch, Withers and Wilcox—30.

(Bill had not been on the table.)

On motion, the House adjourned.

SATURDAY, April 1st, 1871.

The House met at 10 A. M., Mr. Speaker in the chair. Prayer by Rev. Mr. Hardy.

The reading of the journal of yesterday was, on motion, dispensed with.

REPORTS OF COMMITTEES.

Mr. Crawford, from Committee on Engrossed Bills, reported H. B. 718, to authorize the commissioners of Franklin county to issue bonds, as correctly engrossed.

INTRODUCTION OF RESOLUTIONS.

By Mr. Waring, a resolution regarding adjournment. Placed on the calendar.

By Mr. Loftin, a resolution to adjourn on Monday. Placed on the calendar.

BILLS.

By Mr. Waring, a bill to abolish the office of State Geologist. Placed on the calendar.

Mr. French, by consent, a resolution to raise a Joint Committee on Business, and to fix a day for adjournment. Placed on the calendar.

Mr. Welsh, a resolution in favor of John O'Connor. On calendar.

CALENDAR.

Resolution of Mr. French, to raise a committee on business and adjournment was taken up and adopted, and a message was sent transmitting the same to the Senate and asking concurrence therein.

Resolution "in favor of John O'Connor" was taken up and passed second and third readings and ordered engrossed.

Mr. Settle, from Committee on Claims, reported, by consent, favorably on claim of S. Jones.

Mr. Rankin rose to a question of privilege in reference to the debate on Senate bill in relation to salaries of certain officers.

S. B. on third reading, to authorize the commissioners of Nash county to levy a special tax, was taken up and passed. Ayes 59; Noes 11.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson Armstrong, Brooks, Bryant of Halifax, Bryson, Buxton, Cawthorn, Chamberlain, Clinard, Dickey, Drake, Ellison, Furr, Gambrel, Garrison, Gatling, Harris of Guilford, Hargrove, Hardy, Henderson, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Lassiter, Loftin, Lucas, Luckey, Lyon, Maxwell, McAfee, McCauley, McNeill, Morgan of Montgomery, Mills, Mitchell, Nisson, Paylor, Powell, Regan, Robbins, Smith of Anson, Smith of Halifax, Smith of Wayne,

Sparrow, Stewart, Sykes, Waring, Welch, Withers, Wilcox and Young of Wake—59.

Noes—Messrs. Bunn, Fletcher, Gullick, Grayson, Gregory, Hampton, Johnson of Edgecombe, Kincade, Martin, Reavis and Williamson—11.

S. B. on third reading, to authorize the commissioners of Anson county to issue bonds, was taken up and passed. Ayes 59; Noes 10.

Ayes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Bryson, Buxton, Carson, Chamberlain, Clinard, Collis, Dickey, Drake, Ellison, French, Furr, Gambrel, Garrison, Goodwyn, Gullick, Guyther, Harris of Guilford, Hargrove, Hardy, Henderson, Hill, Hinnant, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kincade, Lassiter, Loftin, Lucas, Luckey, Lyon, Marler, Maxwell, McAfee, McCauley, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Regan, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stewart, Waring, Welch, Withers, Wilcox, Woodhouse and Young of Wake —59.

Noes—Messrs. Brown, Bunn, Gregory, Hampton, Jones of Northampton, Martin, Morgan of Montgomery, Morgan of Wake, Reavis and Williamson—10.

Mr. Welch, from Committee on Internal Improvements, reported favorably on H. B. 717, to be entitled "an act to incorporate the Oxford and Hillsboro' Railroad Company," and H. B. 700, S. B. 678, "an act to incorporate the Yadkin Railroad Company."

House bill "to incorporate encampment No. 14, I. O. of O. F," was taken up and passed second and third readings and ordered engrossed.

Mr. Sparrow, by consent, introduced a bill to be entitled an act to secure jury trial in certain cases.

Mr. Nicholson moved to take from the table Senate bill in relation to salaries of certain officers." Motion did not prevail.

Mr. McAfee, from Committee on Conference on bill to be

entitled an act to amend an act to provide for a system of Public Instruction, reported certain amendments to bill, which report was concurred in, and information was sent to the Senate.

Bill to be entitled an act to authorize the commissioners of Columbus county to levy a special tax, was taken up and passed third reading. Ayes 58; Noes 9.

Ayes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Cawthorn, Carson, Clinard, Collis, Crawford, Dickey, Drake, Ellison, Fisher, French, Furr, Gambrel, Garrison, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Hill, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kincade, Lassiter, Loftin, Lyon, Marler, Maxwell, McAfee, McCauley, Mills, Newsom, Paylor, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stewart, Strudwick, Waring, Welch, Withers, Wilcox and Young of Wake—58.

Noes—Messrs. Brown, Bunn, Dudley, Fletcher, Gullick, Gregory, Martin, Morgan of Montgomery and Williamson—8.

H. B. on third reading, to authorize the commissioners of Franklin county to issue bonds was taken up.

Mr. Williamson moved to lay the bill on the table, which did not prevail.

Mr. Waring moved an amendment which was adopted, and bill passed third reading. Ayes 47; Noes 32.

Ayes—Messrs. Anderson, Armstrong, Atwater, Brooks, Bryant of Halifax, Bryson, Clinard, Crawford, Currie, Dickey, Drake, Furr, Gambrel, Gullick, Harris of Guilford, Henderson, Hill, Hinnant, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Luckey, Maxwell, McCauley, McNeill, Mills, Nicholson, Paylor, Powell, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Strudwick, Waring, Welch, Wilcox and Woodhouse—47.

Noes—Messrs. Brown, Bryan of Jones, Bunn, Carson, Collis, Dudley, Ellison, Fisher, Fletcher, Garrison, Goodwyn, Gray-

son, Gregory, Hampton, Hargrove, Hardy, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Loftin, Lyon, Marler, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Williamson and Young of Wake—32.

H. B. to be entitled an act to provide for the laying off and construction of a public highway in the counties of Burke and Mitchell was taken up, and Mr. Collis moved to amend by striking out $300 and insert $200. Amendment was adopted.

Mr. Mills, to amend "that this act shall not take effect unless ratified by a majority of the qualified voters of Burke and Mitchell counties. Amendment was adopted, and bill passed third reading. Ayes 59; Noes 2.

Ayes—Messrs. Anderson, Armstrong, Atwater, Brooks, Bryan of Jones, Bryson, Cawthorn, Carson, Clinard, Collis, Crawford, Currie, Dickey, Drake, Dudley, Faulkner, Fisher, Furr, Gambrel, Garrison, Gatling, Gullick, Gregory, Guyther, Hargrove, Hardy, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Luckey, Lyon, Marler, Maxwell, McCauley, Morgan of Montgomery, Mills, Nicholson, Nisson, Paylor, Powell, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Strudwick, Waring, Woodhouse and Williamson—59.

Noes—Messrs. Reavis and Smith of Halifax—2.

H. B. to levy a special tax in Lenoir county, was taken up and, on motion of Mr. Loftin, laid on the table.

Bill to be entitled an act to authorize the commissioners of Halifax to levy a special tax, was taken up and failed to pass. Ayes 23; Noes 38.

Ayes—Messrs. Armstrong, Atwater, Brooks, Bryant of Halifax, Bunn, Cawthorn, Carson, Collis, Fisher, French, Garrison, Gatling, Goodwyn, Hampton, Harris of Guilford, Hargrove, Kelly of Moore, Lyon, Marler, Page, Robbins, Smith of Halifax and Young of Wake—23.

Noes—Messrs. Anderson, Bryson, Clinard, Crawford, Drake,

Dudley, Furr, Gambrel, Gullick, Gregory, Hinnant, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelsey, Kincade, Lassiter, Loftin, Maxwell, McNeill, Morgan of Montgomery, Morgan of Wake, Nicholson, Powell, Rankin, Regan, Robinson, Shull, Smith of Anson, Sparrow, Stewart, Strudwick, Waring, Willis, Wilcox, Woodhouse and Williamson—38.

Mr. Phillips, for Board of Managers of Impeachment against E. W. Jones, Judge of second judicial district, reported that they had proceeded to the Senate in accordance with a resolution adopted by the House, and asked the return of the Articles of Impeachment, and that the answer was, the articles would be returned, and that the court adjourned *sine die.*

Mr. Kelly, from Committee on Enrolled Bills, reported "an act requiring all State, county and municipal officers to be voted for on separate ballot;" "an act to authorize the commissioners of Johnston county to issue bonds for the purpose of funding and paying off the county debt;" "an act to incorporate Elmwood Lodge of Ancient Free and Accepted Masons at Greensboro', Guilford county;" "an act to incorporate the Warrenton and Macon Turnpike Company;" "an act to incorporate the town of Burnsville, in the county of Yancey;" "an act in relation to fishing in the waters of Tranter's creek, Pamlico and Tar rivers;" "an act to incorporate the Marion High School at Marion, in the county of McDowell;" "an act for the better government of the Penitentiary;" "an act in relation to the meadows of Rockingham county;" "an act to incorporate the Culsagee and Corundum Mining and Manufacturing Company;" "an act to incorporate the Fairmount Foundry Company, in the county of Chatham;" "an act for the protection of Fair Grounds;" "an act to incorporate the trustees of Little River Academy, in Cumberland county;" "an act to prevent the sale of spirituous liquors within one mile of Fort Hambree Academy, in Clay county;" "an act to incorporate the Haywood and Cane Creek Railroad Company;" "an act to authorize the county commissioners of Nash county to levy a special tax;" resolu-

tion in favor of F. N. Strudwick; resolution in favor of Geo. W. Dickey and B. K. Dickey, all as correctly enrolled, and they were ratified.

H. R. in favor of William L. Saunders, was taken up, and Mr. Strudwick called the ayes and noes. Resolution failed to pass. Ayes 27; Noes 49.

Ayes—Messrs. Armstrong, Ashe, Cawthorn, Crawford, Dickey, Drake, Gregory, Johnston of Buncombe, Jones of Caldwell, Kelly of Davie, Lucas, Luckey, McCauley, McNeill, Mills, Mitchell, Powell, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Strudwick, Waring, Welch, Withers and Wilcox—27.

Noes—Messrs. Anderson, Atwater, Brooks, Brown, Bryant of Halifax, Bryson, Bunn, Carson, Chamberlain, Clinard, Collis, Dudley, Ellison, Fletcher, Furr, Gambrel, Garrison, Goodwyn, Gullick, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Houston, Hill, Johnson of Edgecombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Marler, Maxwell, Morgan of Montgomery, Morgan of Wake, Nicholson, Nisson, Page, Paylor, Reavis, Robbins, Robinson, Smith of Halifax and Williamson—49.

S. B. to be entitled "an act for the promotion of immigration and the settlement of unimproved lands in the State was taken up and passed second and third readings and ordered enrolled.

Mr. Robinson in the chair.

H. B. on third reading "to incorporate the Carthage and Randolph Railroad Company," was taken up and passed.

S. B. to be entitled "an act in favor of the sureties of H. B. Guthrie, late sheriff of Orange county," was taken up and passed second and third readings and ordered enrolled.

Mr. Withers, by consent, introduced a bill "to be entitled "an act fixing the salaries of the Superintendent and Assistant Superintendent of the Insane Asylum," and asked that it be placed on the calendar.

Mr. French moved to refer bill to committee on salaries and fees, and motion was lost.

S. B. on second reading "to allow the transfer of certain cases pending in the late Courts of Equity," was taken up.

Mr. Hargrove moved to postpone indefinitely, and the motion prevailed.

Resolution regarding adjournment was taken up.

Mr. French moved to lay resolution on the table, and under call for the ayes and noes, the motion prevailed. Ayes 35; Noes 33.

Ayes—Messrs. Armstrong, Atkinson, Brooks, Bryant of Halifax, Bunn, Buxton, Cawthorn, Currie, Dudley, Ellison, Fisher, French, Goodwyn, Gregory, Guyther, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Kelly of Moore, Lucas, Luckey, Lyon, Martin, McAfee, McNeill, Morgan of Wake, Mitchell, Phillips, Scott, Sparrow, Sykes, Willis, Wilcox, Williamson and Young of Wake—35.

Noes—Messrs. Anderson, Atwater, Brown, Bryson, Carson, Clinard, Crawford, Dickey, Garrison, Gatling, Gullick, Hampton, Hargrove, Hardy, Johnston of Buncombe, Joyner of Johnston, Joyner of Pitt, Kelsey, Kincade, Marler, Maxwell, McCauley, Morgan of Montgomery, Nisson, Page, Powell, Rankin, Reavis, Regan, Smith of Wayne, Welch, Withers and Woodhouse—33.

S. R. in favor of Patrick McGowan was taken up, when Mr. Waring moved to amend by striking out $300 and insert $200 and striking out 69 and insert 46.

Mr. Dudley, to amend amendment by inserting $150. Lost for want of a quorum.

The motion of Mr. Waring was adopted, and resolution passed second and third readings as amended.

Mr. Powell, from Committee on Engrossed Bills, reported as correctly engrossed H. B. 582, "a bill to be entitled an act to allow the county commissioners of Columbus county to levy a special tax," and H. B. 598, substitute for H. B. 507, S. B.

15, "and appointing a weigher of cotton and weigher and inspector of flour and salt fish in the city of Raleigh."

H. B. to be entitled "an act to protect the interests of married men" was taken up.

Mr. Joyner, of Johnston, called the ayes and noes. The call was sustained and bill failed to pass. Ayes 5; Noes 71.

AYES—Messrs. Hargrove, Johnson of Edgecombe, Lyon, Page and Reavis—5.

NOES—Messrs. Anderson, Armstrong, Ashe Brooks, Brown, Bryant of Halifax, Carson, Clinard, Collis, Crawford, Currie, Dickey, Drake, Dudley, Furr, Gambrel, Garrison, Gatling, Goodwyn, Gullick, Gregory, Guyther, Hampton, Hardy, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Nicholson, Phillips, Paylor, Rankin, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Strudwick, Sykes, Waring, Welch, Withers, Wilcox, Woodhouse and Williamson. —71.

A message was received from the Senate announcing that the Senate has refused to concur in House amendments to S. B. 88 and 556, "an act to transfer one million dollars of stock of the State in North Carolina R. R. to the Atlantic and North Carolina R. R. Company, and to consolidate that part of N. C. R. R. between Raleigh and Goldsboro' with the A. & N. C. R. R.," and asking a committee of conference, and designated Messrs. Graham, of Orange, Worth and Lehman as Senate branch.

The House agreed to the appointment of a committee of conference, and Messrs. Martin, Rankin, Lyon, Woodhouse and Luckey were appointed as House branch of the committee.

The Speaker announced that Messrs. Waring, Mills, Fisher, Smith, of Anson and Hardy were appointed House branch of

committee on the Centennial Anniversary of American Independence.

Also, a message announcing that Messrs. McClammy and Murphy were appointed Senate branch of committee on business of the General Assembly, and on adjournment.

The following members were appointed by the Speaker as House branch of said committee: Messrs. Scott, Robinson and Guyther.

House resolution to provide for the payment of an Assistant Clerk for the House of Representatives, was taken up and amended by inserting "five" instead of "four," and passed second and third readings and ordered engrossed.

House bill "an act to regulate appeals from Justices Courts in certain cases," was taken up, amendment reported by committee on judiciary adopted, and passed second and third readings and ordered engrossed.

House bill "to prevent fraud in the sale of commercial fertilizers," was taken up.

A message was received from the Senate transmitting and asking concurrence in the passage of S. B. 310, "to repeal certain section of an act entitled an act concerning townships;" S. R. 639, concerning Dr. Geo. Blacknall; S. R. 694, resolution in favor of the tax collector of Pitt county; S. B. 473, bill to be entitled "an act to incorporate the Asheville Savings Bank;" S. B. 566, "bill to change the time for holding the Courts in the 10th and 11 Judicial Districts;" S. B. 505, "an act to allow the passage of fish up the Pedee, Yadkin and Uwharie rivers;" S. B. 670, bill to be entitled "an act to construct a public bridge across the Yadkin River at or near the town of Wilkesboro'."

Mr. Powell, from Committee on Engrossed Bills, reported Resolution to pay Assistant to Principal Clerk of the House of Representatives, as correctly engrossed.

On motion, the House adjourned.

EVENING SESSION.

APRIL 1st, 1871.

The House met at 3:30 P. M., Mr. Speaker in the chair.

H. B. 494, a bill to amend the charter of the Wilmington Thalian Association, was taken up.

Mr. French moved to lay bill on the table and motion failed for want of a quorum.

Mr. French renewed the motion and motion prevailed.

The unfinished business was taken up and considered, when

Mr. Hargrove moved to postpone to Monday at 11 a. m., and print. Motion prevailed.

A message was received from the Senate transmitting the following bills and resolutions: S. B. 516, to prevent the sale of liquors near Pollocksville Academy; amendments H. B. 36, to incorporate the Spartansburg, Columbia and Rutherford Railroad; S. R. 697, in favor of J. T. Bullard; S. R. 724, for Treasurer to refund $575.59 to tax collector of Pitt county; Joint resolution in favor of Chas. H. Abrams, watchman of the Capitol; S. B. 723, to authorize the commissioners of Franklin county to convey land for Trinity church.

A message was sent transmitting to and asking concurrence of the Senate in the passage of H. B. "to incorporate the Carthage and Randolph Railroad Company;" H. R. to provide for payment of Assistant to Clerk of the House of Representatives, and House amendments to S. R. in favor of Patrick McGowan.

Mr. Ashe, from Committee on Enrolled Bills, reported "an act to legalize and make valid an election held in the town of Hendersonville, in the county of Henderson, for municipal officers of said town;" "an act to regulate the right of voting in cases where county lines have recently been changed," "an act to amend an act to declare the French Broad, Brevard and Jones Gap road a turnpike;" resolution "concerning the Cen-

tennial Anniversary of American Independence;" "an act to amend an act entitled an act to incorporate the Bladen Land Company, ratified 26th January, 1867;" "an act for the relief of J. W. Schenck jr., sheriff of New Hanover county;" an act to amend an act to provide for the collection of taxes by the State and the several counties," on property polls and income, ratified the 28th day of March, A. D. 1870," all as correctly enrolled and they were ratified.

S. R. "in favor of J. L. Harrison," was taken up and amended by inserting "the House of Representatives concurring," and passed second and third readings and ordered enrolled.

Mr. Martin, from Committee of Conference, on bill to transfer one million dollars of State stock in the N. C. R. R. to the A. N. C. R. R., and to consolidate that part of the N. C. R. R. between Raleigh and Goldsboro' with the A. N. C. R. R., reported from the majority of the committee.

Mr. French moved the reception and adoption of the report.

Mr. Rankin called the ayes and noes. The call was sustained, and the report was not adopted. Ayes 29; Noes 44.

Ayes—Messrs. Armstrong, Brooks, Bunn, Clinard, Dudley, Faulkner, Fisher, Fletcher, French, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Lassiter, Lottin, Lucas, Martin, Maxwell, Morgan of Wake, Page, Paylor, Powell, Scott, Smith of Anson, Smith of Wayne, Sparrow, Sykes and Woodhouse—29.

Noes—Messrs. Anderson, Ashe, Atwater, Bryant of Halifax, Bryson, Cawthorn, Collis, Crawford, Currie, Dickey, Gambrel, Gullick, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Hill, Johnston of Buncombe, Jones of Northampton, Kelly of Moore, Kelsey, Kincade, Lucky, Lyon, Marler, McCauley, McNeill, Mitchell, Nicholson, Nisson, Rankin, Reavis, Regan, Robbins, Robinson, Settle, Shull, Smith of Halifax, Waring, Welch, Withers, Wilcox and Williamsom—44.

Mr. Crawford moved to reconsider the vote and to lay the motion on the table, and motion prevailed.

S. B. to extend the corporate limits of Fayetteville on second reading, was taken up, and on motion, postponed to Monday next at 4 o'clock p. m.

S. B. to protect the city of Raleigh from fire, was considered and passed second reading. Ayes 61; Noes 1.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Bryant of Halifax, Bryson, Cawthorn, Chamberlain, Clinard, Collis, Crawford, Currie, Dickey, Drake, Ellison, Fisher, Fletcher, French, Gambrel, Garrison, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Hill, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Joyner of Pitt, Kelly of Moore, Kelsey, Kincade, Loftin, Lyon, Martin, Marler, McNeill, Morgan of Wake, Mitchell, Nicholson, Nisson, Page, Paylor, Powell, Rankin, Regan, Robbins, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Sykes, Waring, Welch, Withers nd Woodhouse—61.

Noes—Mr. Dudley—1.

When resolution "concerning the recent action of the Governor, Chief Justice and Associate Justices of the Supreme Court," was taken up and passed second reading under a call for the ayes and noes. Ayes 55; Noes 31.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Gambrel, Gullick, Grayson, Gregory, Hampton, Houston, Hill, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Lucas, Martin, Marler, Maxwell, McAfee, McAllister, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Waring, Welch, Withers, Wilcox and Woodhouse—55.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bunn, Buxton, Cawthorn, Collis, Dudley, Ellison, Fisher, Fletcher,

French, Garrison, Goodwyn, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Morgan of Montgomery, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes and Williamson—31.

Resolutions were read third time and passed, and ordered to be enrolled.

S. B. to incorporate the Mount Airy and Central Railroad Company was taken up, and Mr. Robinson moved to refer to committee on internal improvements, which prevailed.

A message was received from the Senate transmitting S. B. 584, to amend the charter of the city of Wilmington; S. B. 585 to authorize the Elizabeth City Ship Building Association; S. B. 543, to incorporate Pungo River Swamp Land Company; S. R. in relation to Buckhorne Chapel in Hertford county; amendment to H. B. 559, S. B. 601, bill authorizing the county commissioners of Onslow county to levy a special tax; amendment to H. B. 560, S. B. 623, to amend the charter of the town of Salisbury; S. B. 478, bill to amend the charter of the Planters Railroad Company, and to consolidate the same with the Wilmington and Onslow Railroad Company.

Also, a message that the Senate had passed S. R. 726, providing for a day of adjournment, together with report of Joint Committee on adjournment.

Senate amendments to H. B. to amend the charter of the city of Salisbury, were concurred in.

Also, Senate amendments to H. B. 36, "to charter the Spartansburg and Columbus Railroad," were concurred in.

Also, a message transmitting Senate resolution concerning adjournment, and asking concurrence; S. B. "to punish arson and burglary," was taken up and passed second and third readings and ordered enrolled.

Mr. Robinson moved to take from the table S. B. "in relation to the salaries of certain officers."

Mr. Loftin moved to adjourn. Motion did not prevail, and motion to take the bill from the table prevailed.

And on motion, the House adjourned.

MONDAY, April 3rd, 1871.

The House met at 10 A. M., Mr. Speaker in the chair.

The reading of the journals of Saturday was, on motion, dispensed with.

Leaves of absence were granted Mr. Maxwell from to-morrow, also to Messrs. Shull and Fletcher.

REPORTS OF COMMITTEES.

Mr. Joyner, of Johnston, reported from Committee on Corporations, favorably on H. B. 739, to be entitled "an act to authorize incorporation of the Elizabeth City Ship Building Association;" S. B. 543, "an act to incorporate the Pungo River Swamp Land Company;" S. B. 478, a bill to be entitled "an act to amend the charter of the Planters Railroad Company, and to consolidate the same with the Wilmington and Onslow Railroad Company."

Mr. Johnston, of Buncombe, from Judiciary Committee, reported favorably from Judiciary Committee, returning several bills asking discharge from further consideration of the same for want of time.

Mr. Welch, from Committee on Internal Improvements, reported favorably on S. B. 688, bill "to incorporate the Mount Airy and Central Railroad Company," and S. B. 689, "to incorporate the Mt. Airy and Central Rail Road Company."

Engrossed bill reported by Mr. Hardy, H. B. 684, "an act to incorporate Jackson Lodge, No. 1, Independent Order of Good Templars," in Tarboro North Carolina.

INTRODUCTION OF BILLS.

By Mr. Crawford, "a bill to incorporate the National Bank of Salisbury."

By Mr. Gullick, a bill "to amend an act to charter the High Shoals Railroad." Read and placed on calendar.

CALENDAR.

A bill to repeal "an act concerning constables in New Hanover county," was taken up and passed second reading.

Bill to be entitled "an act to annex a part of New Hanover county to Sampson county" was taken up. Mr. Maxwell offered a substitute. Mr. Ashe moved to postpone consideration till to-morrow. Motion did not prevail, and the substitute was adopted, and passed second reading.

On motion of Mr. Sparrow, the House insisted on its amendments to bill to incorporate the Bank of Eastern North Carolina, and asked a committee of conference.

S. R. "in favor of Wm. A. Bradshaw" was taken up, and on motion laid on the table.

S. R. "in relation to the Buck Horne Chapel, in Hertford county," was taken up and passed second and third readings and ordered engrossed.

Mr. Powell, from Committee on Engrossed Bills, reported H. B. 202 "to authorize commissioners of New Hanover to levy a special tax;" H. B. 617, "to incorporate Encampment No. 14, I. O. O. F.;" H. B. 608, "to lay off and construct a highway in the counties of Burke and Mitchell;" H. B. 717, "to incorporate the Oxford and Hillsboro' Railroad Company;" H. B. 742, "to charter the Bank of Salisbury.

By Mr. Mills, a resolution concerning sheriffs. Read first time and placed on the calendar.

Senate resolution in favor of the tax collector of Pitt county, was taken up and passed second and third readings and ordered enrolled.

Senate bill "to incorporate the Asheville Savings' Bank," was taken up and passed second and third readings and ordered enrolled.

Messrs. Sparrow, Crawford, McAfee, Loftin and Fisher were

appointed House branch of Committee of Conference on bill to incorporate the Bank of Eastern North Carolina.

Mr. Robinson, from Committee on Enrolled Bills, reported an act in favor of the sureties of Hugh B. Guthrie, late sheriff of Orange county; an act for the relief of Jas. M. Young, sheriff of Buncombe county, and T. W. Taylor sheriff of Henderson county; resolution in relation of the investigation of the State's interest in the Cape Fear Navigation Company; an act to amend an act entitled an act to incorporate the Warm Springs Colony, in Madison county, North Carolina, ratified February 15th, 1871; an act for the incorporation of North State Lodge, No. 26, Independent Order of Odd Fellows, at the city of Salisbury, county of Rowan; resolution in favor of John O'Connor; an act to authorize the commissioners of Gaston county to levy a special tax for the purpose of repairing of bridge over South Fork river, at Hayler's ferry, within said county; an act to authorize C. Austin, late sheriff of the county of Union, to collect arrears of taxes; a resolution authorizing Principal Clerk of the House to employ clerical assistance; an act to authorize the commissioners of Anson county to issue bonds; an act to incorporate the town of Cary, in the county of Wake; an act to repeal an act for the preservation of the public health, by establishing suitable quarantine regulations for Beaufort harbor, North Carolina; an act to incorporate the town of Jefferson, in Ashe county; an act concerning the annexation of a portion of Caswell county to the county of Watauga; an act authorizing R. B. Webster and Robert Lewis, sureties on the official bond of Walker Smith, late sheriff of Rockingham county, to collect arrears of taxes; resolution for the relief of B. W. Partin, of Haywood county; an act to prevent the felling of trees in Yadkin river; an act to incorporate the Rocky River Bridge Company.

Mr. Mills, by consent, introduced a resolution to pay Principal Clerks of General Assembly for extra services.

H. B. 771, to incorporate the Oxford and Hillsboro' Rail-

road Company," was taken up and passed second and third readings and ordered engrossed.

H. R. on second reading, in favor of J. C. Dashiell, was taken up and passed second and third readings and ordered engrossed.

S. R. on second reading, "in favor of John S. McNeill and others," was taken up and passed third reading.

S. R. "in favor of Hackney Pool," was taken up and, on motion, laid on the table.

S. R. on second reading, "concerning Dr. George W. Blacknall," was taken up and passed second reading.

S. R. in favor of S. Jones, was taken up and passed second and third readings.

Mr. Loftin, by consent, was excused from acting on committee of conference on bill to incorporate the Bank of Eastern North Carolina, and Mr. Nisson was appointed in his stead.

S. R. in favor of Burgess Montgomery, was taken up and passed second and third readings and ordered enrolled.

S. R. in favor of M. L. Wiggins, on second reading. Mr. Maxwell moved indefinite postponement. Withdrawn, and moved to lay on the table, which was carried.

S. R. on second reading, to incorporate the Yadkin Railroad Company, was taken up and passed second and third readings and ordered enrolled.

S. B. on second reading, "to amend an act in relation to proceedings in contempt, and to define the offence of contempt," was taken up and passed second reading.

Mr. Loftin moved to refer, which did not prevail, and bill passed second reading.

S. B. to amend chapter 258 of private laws of 1858–'59, was taken up and passed second and third readings and ordered enrolled.

S. B. on second reading, a bill to be entitled an act to change the time for holding the terms of the Superior Courts in the 10th and 11th judicial districts was taken up.

Mr. Houston moved to lay over till 3½ o'clock, p. m., and motion prevailed.

S. B. on second reading, bill to amend sec. 23 of chap. 27, of Revised Code, entitled "Deeds and Conveyances," was taken up and passed second and third readings and ordered enrolled.

S. B. on second reading, bill to be entitled "an act to amend an act entitled proceedings in *habeas corpus*," was taken up and passed second and third readings, and S. B. to be entitled an act to amend an act concerning the estate of deceased persons was taken up, and on motion, laid on the table.

H. B. to incorporate Jackson Lodge, No. 1, I. O. of Good Templars in Tarboro', was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. Welch, the rules were suspended and S. R. regarding adjournment was taken up, and Mr. Welch moved to amend by striking out Thursday and insert Tuesday at 6 o'clock, a. m.

Mr. Marler, to amend amendment by inserting 4 o'clock, p. m. Amendments did not prevail and resolution passed unamended. Vote reconsidered and motion to reconsider prevailed.

S. B. on third reading, "to protect the city of Raleigh from accident by fire, was taken up and passed. Ayes 54; Noes 7.

Ayes—Messrs. Armstrong, Atwater, Brooks, Bryan of Jones, Bryson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Drake, Ellison, Furr, Gambrel, Garrison, Gullick, Hampton, Hargrove, Hardy, Henderson, Johnston of Buncombe, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Loftin, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, Morgan of Wake, Mills, Nisson, Powell, Rankin, Reavis, Regan, Robbins, Robinson, Scott, Shull, Smith of Wayne, Sparrow, Stewart, Strudwick, Welch, Woodhouse and Young of Wake—54.

Noes—Messrs. Brown, Bryant of Halifax, Bunn, Dudley, Grayson, Jones of Northampton, Smith of Halifax and Williamson—7.

A message was received from the Senate transmitting S. B. 549, bill to be entitled an act authorizing the county commissioners of the county of Gates to levy a special tax and approving thereof; S. B. 354, bill to amend sec. 7 of chap 237 of laws 1868–'69; S. B. 328, bill to allow the registration of deeds upon certain proofs; S. B. 309, bill to incorporate Marion and Cranberry Railroad Company; S. B. 728, bill donating the State's interest in the Fayetteville and Warsaw Plank Road to the counties of Sampson and Duplin; amendments to H. B. 200, S. B. 581, bill to be entitled an act to authorize the county commissioners of Bladen county to levy a special tax, and asking concurrence of the House therein.

Senate amendments to H. B. 200, to be entitled an act to authorize the Commissioners of Bladen county to levy a special tax, were concurred in.

Senate amendments to H. B. 588, to amend the charter of the city of Charlotte, were concurred in.

A message was received from the Senate transmitting and asking concurrence in the passage of S. B. 511, bill to be entitled an act to repeal chapter 77, laws of 1869-'70; S. B. 582, an act changing the time for the election of members of Congress in this State; S. R. 729, resolution in favor of sheriffs in certain cases; S. B. 356, a bill to be entitled an act to amend section 13 of an act entitled "an act in relation to landlords and tenants," ratified the 10th day of April, 1869; S. B. 462, bill to be entitled an act to transfer late pending suits in equity to the Superior Court; S. B. 2, bill to be entitled an act to amend section 33, chapter 20, act of 1868, entitled an act concerning the government of counties; S. B. 743, an act to receive proper returns by sheriffs and tax collectors of enlisted taxes, and ask concurrence.

On motion of Mr. Crawford, the rules were suspended, and H. B. to incorporate the bank of Salisbury, was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Sparrow, the rules were suspended and S. B. to secure the proper returns of unlisted taxes by the

sheriffs of the State, was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. McAfee, the rules were suspended and S. B. to incorporate the Marion and Cranberry Railroad was taken up and passed second and third readings and ordered enrolled.

Mr. Robinson, from Committee on Enrolled Bills, reported as correctly enrolled an act to submit the question of Convention or no Convention to the people, and to provide for the election of delegates; an act authorizing the commissioners of Caldwell county to levy a special tax; an act authorizing the commissioners of Cleaveland county to issue bonds; an act to authorize the county of Wilson to issue bonds; an act to amend an act entitled an act to incorporate the Planters Railroad Company; an act to authorize the commissioners of Alamance to levy and collect a special tax; an act to authorize the commissioners of Moore county to issue bonds; an act to incorporate the trustees of Waccamaw Baptist Church in the county of Columbus, near Herrington; an act to amend section 31 of chapter 201, of the act of April 12th 1869; an act to authorize the county commissioners of Currituck county to levy a special tax; an act to incorporate the Waynesville Academy Association; an act to authorize the commissioners of Mitchell county to levy a special tax.

H. B. on second reading, "to be entitled an act supplemental to an act to compel sheriffs to settle taxes, was taken up and, on motion of Mr. Shull laid on the table.

On motion of Mr. Maxwell, the rules were suspended, and S. B. donating the State's interest in the Fayetteville and Warsaw Plank Road to the counties of Sampson and Duplin, was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. Gatling, the rules were suspended, and S. B. to be entitled an act to authorize the commissioners of Gates county to levy a special tax was taken up and passed. Ayes 69; Noes 6.

Ayes—Messrs. Armstrong, Ashe, Atwater, Brooks, Bryant

of Halifax, Bryan of Jones, Bryson, Bunn, Cawthorn, Clinard, Collis, Copeland, Currie, Drake, Ellison, Fisher, Furr, Garrison, Gatling, Goodwyn, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Hill, Johnston of Buncombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Luckey, Lyon, Marler, McNeill, Morgan of Montgomery, Morgan of Wake, Mitchell, Nicholson, Nisson, Page, Phillips, Powell, Rankin, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Strudwick, Sykes, Waring, Wilcox, Woodhouse and Young of Wake—69.

Noes—Messrs. Dudley, Fletcher, Johnson of Edgecombe, Reavis, Smith of Halifax and Williamson—6.

On motion of Mr. Sparrow, the rules were suspended on bill in relation to Justices of the Peace and Constables, was taken up and, on motion of Mr. Hargrove, indefinitely postponed.

On motion of Mr. McNeill, S. R. "in favor of Henry Biggs," was taken up and passed second reading under call for the ayes and noes. Ayes 56; Noes 15.

Ayes—Messrs. Armstrong, Ashe, Atwater, Brooks, Brown, Bryan of Jones, Bryson, Cawthorn, Clinard, Copeland, Crawford, Currie, Drake, Ellison, Fletcher, Furr, Gambrel, Gullick, Grayson, Gregory, Guyther, Hardy, Henderson, Hill, Johnston of Buncombe, Johnson of Edgecombe, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Martin, Marler, Maxwell, McNeill, Mills, Mitchell, Nicholson, Phillips, Rankin, Regan, Scott, Settle, Shull, Smith of Anson, Sparrow, Stewart, Sykes, Waring, Welch, Wilcox, Womack and Williamson—56.

Noes—Messrs. Bryant of Halifax, Bunn, Dudley, Hampton, Hargrove, Jones of Northampton, Loftin, Lyon, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Reavis, Robbins and Smith of Halifax—15.

And under suspension of the rules, passed third reading and ordered enrolled.

On motion of Mr. Marler, the rules were suspended and S. B. to authorize the construction of a public bridge across the Yadkin river near the town of Wilksboro', was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. Ashe, the rules were suspended, and S. B. in relation to a Board of Internal Improvements, was taken up and amendment reported by the Committee on Internal Improvements being under consideration,

Mr. Gregory moved to postpone consideration of the bill indefinitely, which, under call for the ayes and noes, prevailed. Ayes 56; Noes 23.

AYES—Messrs. Armstrong, Atwater, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Clinard, Copeland, Currie, Drake, Dudley Ellison, Fisher, Fletcher, Gambrel, Garrison, Goodwyn, Gullick, Grayson, Gregory, Guyther, Hampton, Hargrove, Hardy, Hill, Johnson of Edgecombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Loftin, Luckey, Lyon, Marler, Morgan of Wake, Mitchell, Nisson, Page, Phillips, Reavis, Regan, Robbins, Robinson, Settle, Shull, Smith of Halifax, Sykes, Welch, Wilcox, Williamson and Young of Wake—56.

NOES—Messrs. Chamberlain, Crawford, Furr, Henderson, Houston, Johnston of Buncombe, Kelly of Moore, Kelsey, Lassiter, Lucas, Martin, Maxwell, McAfee, McNeill, Mills, Rankin, Scott, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Waring and Woodhouse—23.

Mr. Welch, by consent, introduced a resolution in favor of T. F. Lee, sheriff of Wake county, which, under suspension of the rules, was taken up and passed second reading, and under further suspension of the rules passed third reading and ordered engrossed.

A message was received from the Senate transmitting and asking concurrence in the passage of H. B. 619, S. B. 306, in relation to the corporate limits of Thomasville; H. B. 683, S. B. 670, to amend the charter of the Western N. C. R. R. Com-

pany, ratified 19th of August, 1868; H. R. 322, S. R. 504, "in favor of Patrick McGowan; H. B. 507, S. B. 15, appointing a weigher of cotton and weigher and inspector of flour and salt fish for Raleigh;" S. B. 571, H. B. 578, "to submit the question of Convention or no Convention to the people, and to provide for the election of delegates;" H. B. 618, S. B. 353, "to incorporate the McLean Hook and Ladder Company," and to the report of Committee of Conference on amendments to S. B. 68, H. B. 637, "to amend chapter 184 Laws of 1868 and '69, to provide for a system of public instruction.

A message was also received from the Senate transmitting S. B. 736, a bill to be entitled an act supplemental to an act to raise revenue. All passed 1st reading and placed on calendar.

When on motion, the House adjourned.

AFTERNOON SESSION.

April 3d, 1871.

The House met at 3:30 P. M., Mr. ——— in the chair.

A message was sent transmitting to the Senate H. B. 717, a bill to incorporate the Oxford and Hillsboro' Railroad Company; H. B. 742, to charter the Salisbury National Bank, and H. R. in favor of L. C. Dasheill, sheriff of Pasquotank, and asking concurrence; also, that the House has concurred in Senate amendments to H. B. 200, to authorize the sheriff of Bladen to collect arrears of taxes, and to H. B. "to amend the charter of the city of Charlotte;" also, a message transmitting report of the majority of the committee of conference, on bill to charter the Bank of Eastern North Carolina, with the bill.

S. B. to be entitled an act in relation to public lands, was taken up, amended and, on motion of Mr. Scott, passed second reading.

Mr. McAfee moved to amend, requiring the road to be put

in running order before the alternate sections shall be granted in fee simple. Amendment failed and bill passed third reading.

Mr. Hardy, from Committee on Engrossed Bills, reported H. B. 684, an act to incorporate the Lodge No. 1, Independent Order of Good Templars, in Tarboro', Edgecombe county.

The hour for the consideration of the special order, being a bill to extend the corporate limits of the town of Fayetteville, was taken up, and on motion of Mr. Broadfoot, laid on the table.

A message was received from the Senate transmitting and asking concurrence in the passage of S. R. 348, resolution in relation to a contract of the Board of Education, with D. P. Bible and S. T. Carrow, for the sale of swamp lands in Hyde, Tyrrell and Washington.

S. B. 652, bill to incorporate Wilmington and Smithfield Steamboat Company, and that the Senate does not concur in the report of the majority of the committee of conference.

S. B. 322, H. B. 521, to incorporate the Bank of Eastern North Carolina; also, a message transmitting S. B. 664, to be entitled an act to allow the commissioners of Guilford county to change the boundaries of townships in that county; and resolution 463, in favor of James W. Whedbee, and asking concurrence in the passage of the same.

On motion of Mr. Ashe, the rules were suspended and S. B. to be entitled "an act supplemental to an act to raise revenue," was taken up and passed second and third readings and ordered enrolled.

Special order being H. B. No. 402, "to prevent fraud in the sale of Commercial Fertilizers, was taken up, substitute offered by Mr. Ashe was not adopted, and bill passed second reading.

On motion the bill was put on its third reading and Mr. Ashe moved to amend by striking out in section 2nd, one per cent. and insert 3 per cent. Amendment did not prevail and bill passed third reading and ordered engrossed.

On motion of Mr. Rankin, S. B. 664, to be entitled an act to allow the commissioners of Guilford county to change the

lines of the townships, was taken up and failed to pass for want of a quorum. Motion renewed and again failed.

H. B. on second reading, a bill to be entitled an act to transfer Mecklenburg county from the 9th to the 5th judicial district, was taken up and failed to pass second reading.

On motion of Mr. Robinson, resolution in favor of T. F. Lee, was re-considered and Mr. Robinson, offered an amendment securing the State from any probable loss on judgments or executions against said sheriff, which was adopted, and resolution as amended, passed third reading and ordered engrossed.

S. B. to be entitled an act to incorporate Christ Church Relief Society of Newbern, was taken up and passed second and third readings and ordered enrolled.

H. B. to be entitled an act to amend an act to charter the High Shoals Railroad Company, was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Hampton, bill to incorporate the Mount Airy and Central Railroad Company, was taken up and passed second and third readings and ordered engrossed.

On motion of Mr. Mills, resolution regarding delinquent sheriffs was taken up, and on motion, indefinitely postponed.

On motion of Mr. Wilcox, S. B. to change the time for holding the term of the Superior Courts in the 10th and 11th judicial districts, was taken up and passed second reading, and Mr. Johnston of Buncombe, moved to amend, changing the time for certain counties, which did not prevail, and bill failed to pass for want of a quorum,

And on motion, the House adjourned.

TUESDAY, April 4th, 1871.

The House met at 10 A. M., Mr. Speaker in the chair. Prayer by Rev. Mr. Vass.

The reading of the journal of yesterday was, on motion, dispensed with.

Mr. Crawford, from Committee on Enrolled Bills, reported resolution in favor of T. F. Lee, sheriff of Wake, as correctly engrossed.

Senate resolution, in reference to a contract with D. P. Bible and S. T. Carrow, for sale of swamp lands in Hyde, Tyrrell and Washington, was, on motion of Mr. Sparrow, taken up.

Mr. Hill moved to lay on the table, which did not prevail.

Mr. Nicholson moved to postpone indefinitely, and called the ayes and noes. The call was sustained, and motion prevailed. Ayes 50; Noes 30.

Ayes—Messrs. Armstrong, Atwater, Broadfoot, Brown, Chamberlain, Clinard, Crawford, Currie, Drake, Furr, Gatling, Gullick, Grayson, Gregory, Hampton, Hargrove, Henderson, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Lyon, Mabson, Marler, McAfee, McCauley, McNeill, Morgan of Montgomery, Mills, Mitchell, Nicholson, Nisson, Page, Powell, Rankin, Reavis, Regan, Settle, Smith of Halifax, Smith of Wayne, Stewart, Sykes, Waring, Welch and Woodhouse—50.

Noes—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Copeland, Dudley, Ellison, Faulkner, Fisher, Gambrel, Goodwyn, Guyther, Harris of Guilford, Harris of Franklin, Hardy, Johnson of Edgecombe, Kelly of Moore, Loftin, Lucas, Morgan of Wake, Phillips, Robbins, Scott, Sparrow, Tucker, Tomlinson, Willis and Williamson—30.

A message was sent transmitting to the Senate Resolution for the relief of T. F. Lee, sheriff of Wake, and bill to amend the charter of the High Shoal Railroad.

Mr. Robinson, from Committee on Enrolled Bills, reported as correctly enrolled "an act to raise revenue;" "an act supplemental to an act to raise revenue;" "an act concerning Rock Spring Camp Ground, in the county of Lincoln, State of North Carolina, and to incorporate a Board of Trustees;" "an

act amendatory of an act entitled, proceeding in *habeas corpus*, ratified the 6th of April, A. D. 1869;" "an act to incorporate the Roanoke and Tar River Agricultural Society;" "an act to incorporate the Asheville Savings Bank;" "an act to protect the city of Raleigh from accident by fire;" "resolution in favor of Nazra Hinton;" "an act in relation to punishment for arson and burglary;" "an act for the promotion of immigration and the settlement of the unimproved land of the State;" "an act to establish the boundary line between Granville and Person counties;" "an act to secure proper returns by sheriffs and tax collectors;" "an act to incorporate the Naval Extension Railroad Company;" "an act in relation to the corporate limits of the town of Thomasville.

Mr. Clinard, from Committee on Engrossed Bills, reported H. B. 402, to prevent fraud in the sale of Commercial Fertilizers.

A message was received from the Senate transmitting and asking concurrence in the passage of S. B. 649, bill to incorporate the Land Improvement Company of North Carolina; S. B. 653, bill to be entitled an act to incorporate the Pioneer Manufacturing Company; S. R. resolution in favor of W. E. Anderson; S. B. 630, bill to incorporate the First Co-oporative Store of the city of Wilmington and its branches. And that the Senate has concurred in House amendments to S. R. 680, H. R. 327, in favor of J. L. Harrison, and S. B. 272, H. B. 313, in relation to the Public Land.

Also, the following engrossed amendments to H. R. 342, resolution for the relief of T. F. Lee, sheriff of Wake county, and B. S. Buchannon, sheriff of Jackson county.

Mr. Settle, by consent, reported favorably on H. B. 184, to make Deep river a lawful fence; H. B. 609, to repeal an act concerning Constables in New Hanover, March 26th, 1870; H. B. 649, to incorporate the Walnut Mountain Turnpike Company; H. R. 347, in favor of G. J. Williams, sheriff of Chatham; H. B. 691, to provide for a cheap chattel mortgage. And they were transmitted to the Senate.

Mr. Powell, by consent, introduced a resolution in favor of J. D. Williams, sheriff of Chatham county.

Mr. Crawford, a resolution in regard to speeches of members. Placed on the calendar.

On motion of Mr. Lucas, S. B. to incorporate the Wilmington Guano Company was taken up, and passed second and third readings and ordered enrolled.

On motion of Mr. Loftin, S. B. to amend the charter of the Planters' Railroad Company, and to consolidate the same with the Wilmington and Onslow Railroad Company was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. Mills, resolution in favor of the Principal Clerks of the Senate and House of Representatives was taken up, and

Mr. Clinard called the ayes and noes. The call was sustained and resolution failed to pass. Ayes 25; Noes 31.

AYES—Messrs. Ashe, Broadfoot, Cawthorn, Copeland, Currie, Drake, Hardy, Houston, Jones of Caldwell, Kelly of Davie, Lucas, Mills, Mitchell, Page, Phillips, Regan, Scott, Sparrow, Tucker, Waring, Willis, Wilcox and Williamson —25.

NOES—Messrs. Brooks, Brown, Bunn, Buxton, Chamberlain, Clinard, Dudley, Ellison, Faulkner, Gatling, Gullick, Grayson, Harris of Guilford, Hargrove, Hill, Hinnant, Jones of Northampton, Joyner of Johnston, Jordan, Kelly of Moore, Kelsey, Kincade, Lassiter, Marler, Nicholson, Powell, Robbins, Robinson, Smith of Halifax, Smith of Wayne and Stewart —31.

On motion of Mr. Gatling, bill to authorize the commissioners of Gates to levy a special tax was taken up and passed third reading. Ayes 56; Noes 5.

AYES—Messrs. Ashe, Atwater, Brooks, Broadfoot, Bryant of Halifax, Buxton, Chamberlain, Copeland, Currie, Drake, Ellison, Fisher, Furr, Gambrel, Gatling, Gullick, Grayson, Guyther, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hill, Hinnant, Johnson of Edgecombe, Jones of

Northampton, Joyner of Johnston, Kelly of Davie, Kelly of Moore, Kincade, Lassiter, Loftin, Lucas, Marler, McAfee, Morgan of Wake, Mitchell, Nicholson, Page, Phillips, Paylor, Powell, Regan, Robbins, Robinson, Scott, Smith of Halifax, Smith of Wayne, Sparrow, Stewart, Tucker, Waring, Welch, Willis, Wilcox and Womack—56.

NOES—Messrs. Brown, Bunn, Cawthorn Martin, and Williamson—5.

On motion of Mr. Broadfoot, bill to be entitled an act to change the method of appointing State Proxy and eight Directors for N. C. Railroad was taken up, and Mr. Broadfoot offered a substitute which was adopted.

Mr. Hargrove called the ayes and noes on the passage of the substitute. The call was sustained and the bill passed second reading.

On motion of Mr. Chamberlain, the rules were suspended and bill to incorporate the Hollywood Cemetery was taken up and passed second reading.

On motion of Mr. Ashe, H. B. to be entitled an act to repeal an act concerning constables in New Hanover, on third reading.

Mr. Hargrove moved to postpone indefinitely, which did dot prevail, and bill passed third reading under a call for the ayes and noes. Ayes 47; Noes 18.

AYES—Messrs. Armstrong, Ashe, Atwater, Brooks, Broadfoot, Brown, Buxton, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Henderson, Hill, Hinnant, Joyner of Johnston, Jordan, Kelly of Davie, Kelsey, Kincade, Lassiter, Marler, McAfee, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Regan, Robinson, Scott, Smith of Wayne, Sparrow, Stewart, Tomlinson, Waring, Welch and Womack —47.

NOES—Messrs. Bunn, Cawthorn, Ellison, Faulkner, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton,

Loftin, Lyon, Morgan of Wake, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax and Sykes—18.

On motion of Mr. Ashe, resolution to pay accounts of managers of impeachment for expenses of impeachment of W. W. Holden was taken up, when Mr. Ashe offered a substitute which was adopted.

Mr. Wilcox moved to amend by inserting $1,000 in lieu of $1,500, which was adopted, and resolution passed second reading. The ayes and noes were called on the third reading which was sustained and resolution passed. Ayes 44; Noes 29.

Ayes—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Grayson, Hampton, Hill, Hinnant, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Martin, Marler, McAfee, McCauley, McNeill, Mills, Mitchell, Phillips, Powell, Rankin, Regan, Scott, Smith of Wayne, Sparrow, Stewart, Strudwick, Tomlinson, Waring, Welch, Wilcox, Womack and Woodhouse—44.

Noes—Messrs. Brooks, Bryan of Jones, Bunn, Buxton, Cawthorn, Copeland, Dudley, Ellison, Faulkner, Fisher, Gatling, Goodwin, Guyther, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Kincade, Loftin, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Reavis, Robbins, Smith of Halifax, Willis and Williamson—29.

A message was received from the Senate transmitting resolution in favor of T. F. Lee, with Senate amendments to the same, which, on motion, were concurred in.

On motion of Mr. Jordan, to place the calendar in the hands of the Speaker for the balance of the session, Mr. Hargrove called the ayes and noes. The call was sustained and motion prevailed. Ayes 41; Noes 29.

Ayes—Messrs. Armstrong, Ashe, Atwater, Brooks, Broadfoot, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gullick, Grayson, Harris of Guilford, Hinnant, Joyner

of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Martin, McAfee, McCauley, McNeill, Mills, Mitchell, Powell, Rankin, Regan, Scott, Smith of Wayne, Sparrow, Strudwick, Tomlinson, Waring, Welch, Womack and Woodhouse—41.

Noes—Messrs. Bryan of Jones, Bunn, Buxton, Copeland, Dudley, Ellison, Faulkner, Gambrel, Goodwyn, Guyther, Hampton, Hargrove, Hardy, Hill, Johnson of Edgecombe, Jones of Northampton, Loftin, Marler, Morgan of Montgomery, Morgan of Wake, Nicholson, Nisson, Page, Reavis, Smith of Halifax, Tucker, Willis, Wilcox and Williamson—29.

The bill to make Deep river a lawful fence in certain places, was taken up and passed second and third readings and ordered engrossed.

S. B. to incorporate the Magnolia Savings Bank in the town of Magnolia, was taken up and passed second and third readings and ordered enrolled.

S. B. an act to prevent the forging or counterfeiting of the private mark of any mechanic, &c., was taken up and passed second and third readings and ordered enrolled.

S. B. to allow the passage of fish up the Peedee, Yadkin and Uwharie rivers, was taken up and passed second and third readings and ordered enrolled.

S. R. in favor of G. J. Williams, was taken up and passed second and third readings and ordered enrolled.

H. B. on second reading, to incorporate the Walnut Mountain Turnpike Road, was taken up and failed to pass for want of a quorum.

Mr. Kelsey renewed motion to pass the bill, and called the ayes and noes. The call was sustained and bill passed. Ayes 49; Noes 13.

Ayes—Messrs. Armstrong, Atwater, Cawthorn, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Gambrel, Gatling, Gullick, Grayson, Hampton, Harris of Guilford, Hill, Hinnant, Johnson of Edgecombe, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter,

Martin, Marler, McCauley, McNeill, Mills, Mitchell, Nicholson, Nisson, Page, Powell, Rankin, Regan, Scott, Smith of Wayne, Sparrow, Stewart, Strudwick, Sykes, Tucker, Tomlinson, Waring, Welch, Wilcox and Womack—49.

Noes—Messrs. Brown, Bunn, Copeland, Faulkner, Fisher, Hargrove, Hardy, Jones of Northampton, Loftin, Reavis, Robbins, Smith of Halifax and Willis—13.

House bill, to create the office of an Assistant of Public Instruction, was taken up.

Mr. Ashe moved to lay bill on the table, and motion prevailed.

Senate bill, to be entitled an act to amend section 33, chapter 20 of laws of 1868, was taken up, concerning the government of counties, and, on motion, referred to judiciary committee.

House bill, to provide for a cheap chattel mortgage, was taken up.

Mr. Hargrove moved to postpone indefinitely. Motion did not prevail.

Mr. Broadfoot moved to amend by inserting 40 instead of 20 cents, and 20 instead of 10 cents, which amendment failed.

Mr. Guyther called the ayes and noes on the second reading. The call was sustained and bill passed second reading. Ayes 57; Noes 24.

Ayes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryant of Halifax, Cawthorn, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Gatling, Grayson, Gregory, Hampton, Harris of Guilford, Hinnant, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincade, Lassiter, Loftin, Lucas, Martin, Marler, McCauley, Morgan of Montgomery, Mitchell, Nicholson, Phillips, Powell, Rankin, Regan, Scott, Smith of Wayne, Sparrow, Stewart, Tomlinson, Waring, Wilcox, Womack and Woodhouse—51.

Noes—Messrs. Bryan of Jones, Bunn, Buxton, Chamberlain, Copeland, Dudley, Ellison, Faulkner, Fisher, Goodwyn, Gullick, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones

of Northampton, Lyon, Morgan of Wake, Nisson, Page, Reavis, Robbins, Tucker, Willis and Williamson—24.

And bill passed third reading and ordered engrossed.

Mr. Ashe moved to reconsider the vote by which Senate amendments to resolution in favor of T. F. Lee, were concurred in.

Mr. Robinson, from Committee on Enrolled Bills, reported as correctly enrolled an act to authorize the county commissioners to levy a special tax in Alexander county; an act to appoint trustees to the Pitt Academy, in the town of Greenville; resolution in favor of Patrick McGowan; an act for the construction of a bridge across the Yadkin river, at or near the town of Wilkesboro', North Carolina; an act to amend an act entitled an act to incorporate the McLean Hook and Ladder Company, No. 1, of the town of Fayetteville; resolution in favor of S. Jones; resolution in favor of Henry Biggs; an act to render valid and binding the act of certain officers in the State, and for other purposes; an act to amend an act entitled an act in relation to proceedings in contempt, and to further define the offence of contempt; an act to amend section 23, of chapter 37 Revised Code, entitled deeds and conveyances; an act to incorporate the Mount Airy and Central Railroad Company.

When on motion, the House adjourned.

AFTERNOON SESSION.

April 4th, 1871.

The house met at 3:30 p. m., Mr. Speaker in the chair.

A message was received from the Senate transmitting S. R. 519, joint resolution in relation to State Department; S. R. 755, resolution in favor of Wm. L. Saunders and Henry A.

London, Jr., and asked concurrence of the House in the passage of the same.

Resolution in regard to the department of the State, was taken up and passed second and third readings and ordered enrolled.

S. R. in favor of W. L. Saunders and H. A. London, Jr., was taken up, and Mr. Gregory moved to amend by striking out the name of H. A. London, Jr., when, on motion, the matter was postponed to 5 o'clock.

S. R. in favor of Chas. H. Abrams, was taken up and failed to pass for want of a quorum.

Mr. Jones renewed the motion to pass the resolution and called the ayes and noes, and resolution passed. Ayes 53; Noes 9.

AYES—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryant of Halifax, Bryan of Jones, Buxton, Cawthorn, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Faulkner, Furr, Gambrel, Gatling, Gullick, Grayson, Guyther, Hampton, Henderson, Houston, Hill, Hinnant, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Davie, Kincade, Lucas Martin, McAfee, McNeill, Mills, Powell, Rankin, Regan, Robbins, Scott, Smith of Anson, Sparrow, Stewart, Sykes, Tucker, Waring, Welch, Wilcox, Womack, Woodhouse and Williamson—53.

NOES—Messrs. Bunn, Dudley Hargrove, Johnson of Edgecombe, Jones of Northampton, Loftin, Morgan of Montgomery, Reavis and Willis—9.

And resolution passed third reading and ordered enrolled.

A message was received from the Senate transmitting engrossed amendments to H. B. to incorporate the National Bank of Salisbury, which were concurred in, and bill ordered enrolled.

S. B to incorporate the Land Improvement Company of N. C., was taken up and passed second and third readings and ordered enrolled.

Mr. Jones, of Caldwell, by consent, presented report from

Special Committee to visit and examine into affairs of the University, which was received and ordered printed.

H. B. to be entitled an act to change the method of appointing the proxies and directors in all corporations in which the State has an interest, was taken up and passed third reading, under a call for the ayes and noes. Ayes 36; Noes 27.

Ayes—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gullick, Grayson, Harris of Guilford, Henderson, Houston, Hill, Jordan, Kelly of Davie, Kincade, Lucas, Martin, McAfee, McCauley, McNeill, Mills, Nicholson, Powell, Rankin, Regan, Scott, Smith of Wayne, Sparrow, Stewart, Waring, Welch and Wilcox—36.

Noes—Messrs. Brooks, Brown, Bunn, Buxton, Cawthorn, Copeland, Dudley, Ellison, Faulkner, Fisher, Gambrel, Gatling, Gregory, Guyther, Hampton, Hargrove, Hardy, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Loftin, Marler, Morgan of Montgomery, Nisson, Tucker, Willis and Williamson—27.

Mr. Waring, by consent, introduced a resolution in favor of Committee on the University, which was taken up and passed second and third readings and ordered engrossed.

S. R. in favor of sheriffs in certain cases, was taken up and passed second and third readings and ordered enrolled.

S. B. in relation to salaries of certain officers, was taken up and on motion laid on the table.

Mr. Mills, by consent, introduced a resolution in regard to printing part of the impeachment trial of W. W. Holden.

S. B. to enable aliens to take hold of and convey lands, was taken up and passed second and third readings and ordered enrolled.

S. R. in favor of Wm. L. Saunders and Henry A. London, jr.

Mr. Gregory moved to strike out Henry A. Lundon and insert John D. Cameron, and one hundred dollars and insert one hundred and eighty-nine dollars.

Mr. Lucas, to insert the name of J. J. Roberson, with pay

of $100, which was accepted, and resolution failed to pass for want of a quorum.

Mr. Loftin renewed the motion to pass resolution, and called the ayes and noes.

Mr. Joyner, of Johnston, moved to lay the matter on the table, and motion prevailed no quorum voting.

Mr. Joyner, of Johnston, renewed the motion to table the resolution and called the ayes and noes. The call was sustained and motion prevailed. Ayes 33; Noes 29.

AYES—Messrs. Armstrong, Atwater, Brooks, Brown, Bunn, Clinard, Copeland, Dudley, Ellison, Grayson, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Hill, Hinnant, Joyner of Johnston, Jordan, Kelly of Moore, Lassiter, Loftin, McAfee, Morgan of Montgomery, Mitchell. Nicholson, Powell, Regan, Smith of Wayne, Tucker, Willis, Wilcox, Womack and Williamson.—33.

NOES—Messrs. Ashe, Broadfoot, Cawthorn, Crawford, Drake, Dunham, Faulkner, Fisher, Gambrel, Gullick, Gregory, Hampton, Houston, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Lucas, Martin, Mills, Nisson, Page, Phillips, Rankin, Scott, Sparrow, Sykes, Waring, Welch and Woodhouse—29.

A message was received from the Senate transmitting amendments to H. B. 145, S. B. 508, bill to amend the charters of the city of Newbern and Newbern Acndemy; S. B. 754, bill to prescribe further duties for the Keeper of the Capitol; S. B. supplemental to an act to change the boundary line between the counties of Edgecombe and Nash.

Senate amendments to S. B. to be entitled an act to amend the charters of the city of Newbern and Newbern Academy, were concurred in.

S. B. to be entitled an act to prescribe the further duties of Keeper of the Capitol, was taken up and passed second reading. Mr. Hargrove moved to postpone indefinitely. Motion did not prevail.

Mr. Loftin called the ayes and noes on the passage of the

bill. The call was sustained and bill passed third reading. Ayes 47; Noes 14.

Ayes—Messrs. Armstrong, Ashe, Atwater, Brooks, Broadfoot, Brown, Cawthorn, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Ellison, Furr, Gambrel, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hardy, Houston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lucas, Martin, McAfee, Mills, Mitchell, Nicholson, Phillips, Powell, Rankin, Scott, Settle, Smith of Wayne, Sparrow, Stewart, Waring, Welch, Wilcox, Womack and Woodhouse —47.

Noes—Messrs. Bunn, Copeland, Dudley, Faulkner, Fisher, Hargrove, Johnson of Edgecombe, Jones of Northampton, Loftin, Nisson, Page, Sykes, Tucker and Williamson—14.

And the bill ordered enrolled.

S. B. supplemental to an act to change the boundary lines between the counties of Edgecombe and Nash, was taken up and passed second and third readings and ordered enrolled.

When, on motion, the House adjourned.

WEDNESDAY, April 5th, 1871.

The House met at 10 A. M., Mr. Speaker in the chair. Prayer by the Rev. Mr. Grayson, of the House.

Mr. Currie, from Committee on Enrolled Bills, reported as correctly enrolled, a resolution requesting our Representatives in Congress to use their influence in securing an appropriation for a public U. S. building in the city of Newbern; an act to re-enact an act in relation to a plank road, ratified the 10th of April, 1869; an act to authorize the county commissioners of Harnett county to appoint a processioner for said county; an act to authorize the trustees of the Waynesville Female Academy to transfer this property to the Waynesville Academy

Association; an act to amend chapter 184, laws of 1868–'60, entitled an act to provide for a system of public instruction.

S. B. 345, bill in relation to the liabilities of husbands upon contracts, &c., was taken up and, on motion, laid on the table.

Senate resolution, in favor of R. S. Tucker, was taken up and, on motion, laid on the table.

Senate resolution, in favor of M. A. Bledsoe, was taken up and, on motion, indefinitely postponed.

Senate bill, to change the time for holding the election for members for Congress, was taken up and, on motion, laid on the table.

Senate bill, in relation to widows' year's support, to amend section 14 of chapter 93, laws of 1868–'69, was taken up and passed second and third readings, and ordered enrolled.

Mr. Hargrove moved to adjourn, and motion did not prevail

Senate bill to incorporate the Pungo River Swamp Land Company, was taken up and passed second and third readings and ordered enrolled.

S. B. to prevent the sale of spirituous liquors within two miles of Blocksville Academy, in the county of Cumberland, was taken up and passed second and third readings and ordered enrolled.

S. B. to amend section 7 of chapter 237, of laws of 1868 and '69, was taken up, and, on motion, laid on the table.

S. B. to be entitled an act to incorporate "the Elizabeth City Shipbuilding Association" was taken up and passed second and third reading and ordered enrolled.

Senate Resolution in favor of W. E. Anderson was taken up, and, on motion, indefinitely postponed.

Mr. Ashe, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions: An act to incorporate the Real Estate and Loan Association of Wilmington, N. C.; an act to transfer from the N. C. R. R. Co. to the A. N. C. R. R. Co. one million dollars of State stock, and to consolidate that portion of N. C. R. R. between Goldsboro' and Raleigh with the A. N. C. Railroad; an act

to incorporate the Elizabeth City Shipbuilding Association; an act to prevent the sale of spirituous liquors within two miles of Blocksville Academy, Cumberland county; an act to prevent obstructions in Newport River, Carteret county; an act to amend section 14, chapter 93, laws of 1868–'69, in relation to widows' support; an act to incorporate the Pungo River Swamp Land Company; and they were ratified.

AFTERNOON SESSION.

April 5th, 1871.

The House met at 3:30 P. M., Mr. Johnston, of Buncombe in the chair.

S. B. on second reading, in reference to the liabilities of husbands upon contracts, &c., was taken up, and, on motion, laid on the table.

A message was received from the Senate announcing that the Senate had concurred in all House amendments to S. B. entitled an act to transfer one million dollars of State stock in the N. C. Railroad to the A. N. C. Railroad, and to consolidate part of the N. C. with the A. N. C. Railroad.

S. B. to repeal an act entitled an act concerning townships was taken up, and, on motion, laid on the table.

Mr. Hargrove, by consent, introduced a resolution in regard to adjournment at 6 o'clock a. m. to-morrow, which was read, and, on motion, laid on the table.

S. B. to be entitled an act to prevent the useless employment of legal counsel was taken up, and on motion, laid on the table.

CALENDAR.

S. B. to be entitled an act to amend the charter of the Wil-

liamston and Tarboro Railroad, was taken up and passed second and third reading.

On motion of Mr. Ashe, the motion to reconsider the vote by which resolution in favor of T. F. Lee as amended passed third reading and was laid on the table.

S. B. to be entitled an act to repeal chap. 250 of laws of 1868–'69, was taken up and passed second and third readings and ordered enrolled.

S. B. to incorporate the Wilmington and Smithville Steamboat Company, was taken up and passed second and third readings and ordered enrolled.

On motion of Mr. Sparrow, the vote by which the resolution in favor of the Clerks of the two Houses, failed to pass second reading was reconsidered, and Mr. Sparrow moved an amendment which was adopted, and resolution passed second and thlrd readings and engrossed.

S. B. to be entitled an act to punish persons guilty of obtaining money, goods, &c., under false pretences, was taken up and failed to pass for want of a quorum.

S. B. to allow executors and administrators to plead anew in certain cases, was taken up and on motion laid on the table.

S. B. "for the better protection of the Literary Fund," was taken up and passed second and third readings and ordered enrolled.

S. B. "an act to prevent the obstruction of Newport river in Carteret county," was taken up and amended and passed second and third readings.

S B. "to incorporate the Co-operative Store ot Wilmington," was taken up and passed second and third readings and ordered enrolled.

S. B. "to amend an act in relation to Landlord and Tenant" was taken up, and on motion of Mr. French laid on the table.

Mr. French, by consent, introduced a resolution of thanks to Mr. Speaker Jarvis, for the manner in which he has presided over the deliberations of the House, which was taken up and passed unanimously.

The Speaker responded to the resolution in an appropriate manner.

By Mr. Sykes, a resolution of thanks to the Principal and Assistant Clerks, and other officers of the House, which was read and unanimously adopted.

S. R. "in favor of J. S. Ballurd," was taken up and passed second and third reading and ordered enrolled.

S. B. "to incorporate the Real Estate and Loan Association of North Carolina," was taken up and passed second and third readings and ordered enrolled.

Mr. Gambriel moved to reconsider the vote by which the resolution in relation to a contract of Board of Education with D. P. Bible and S. T. Carrow, for the sale of Swamp lands in Hyde, Tyrrell and Washington counties," was indefinitely postponed. Motion did not prevail.

S. B. "to change the time for holding the courts in the 10th and 11th judicial districts," was taken up, and

Mr. Jonston, of Buncombe, moved to lay bill on the table. Withdrawn, and bill failed to pass for want of a quorum.

Mr. Brown, by consent, introduced "a resolution in favor of Jno. D. Cameron," which was read, and passed second and third readings and ordered engrossed.

Mr. Currie, from Committee on Enrolled Bills, reported the following bills as correctly enrolled, and they were ratified:

Loan Association of Statesville, N. C.; an act to incorporate the Yadkin Railroad Company; an act donating the State's interest in the Fayetteville and Warsaw Plank Road to the counties of Sampson and Duplin; an act to incorporate Christ Church Relief Society of Newbern, N. C.; an act to change the township of Lincoln county; an act to incorporate Republican Star Lodge No. 1385 G. W. O. of O. F., in the town of Elizabeth City; an act to incorporate the Wilmington Railway Co-operative Association; an act to amend an act ratified the 10th day of April, 1869, entitled an act to define and punish bribery; an act in relation to the Insane Asylum; an act to authorize the county commissioners of Bladen county to levy

a special tax; resolution in favor of Burgess Montgomery; an act authorizing the county commissioners of Onslow county to levy a special tax; an act to incorporate the Marion and Cranberry Railroad Company; an act to incorporate the Spartanburg, Columbus and Rutherford Railroad Company; an act to amend the charter of the town of Salisbury; an act to amend 258 of the private laws of 1858-'59, entitled an act to incorporate the Medical Society of the State of North Carolina and for the establishment of medical board of examiners, ratified 17th February, 1859; resolution concerning the recent action of the Governor, the Chief Justice and certain Associate Justices of the Supreme Court; resolution in relation to Buckhorn Chapel, in Hertford county; an act to incorporate the Asheville and Virginia Railroad Company; resolution in favor of Geo. B. McCotter, tax collector of Pitt county; an act to authorize the commissioners of Harnett county to levy a special tax and for other purposes; an act concerning Ball's Creek Camp Ground, in Catawba county; an act for the relief of sheriffs of Wayne, Wilson and other counties; a resolution in favor of John S. McNeill, George McKoy and others; an act to amend sections 266, 268, 269, 270, 271 Code of Civil Procedure; resolution in favor of J. L. Harrison; an act to amend the charter of the Caldwell and Watauga Turnplke Company; an act concerning townships in the county of Cherokee; an act to repeal an act to amend the charter of Western North Carolina Railroad Company," ratified the 19th of August, A. D. 1868, and for other purposes; resolution in favor of sheriffs in certain cases; an act to levy a special tax for the county of Beaufort; an act for the incorporation of Rowan Encampment No. 18 of the Independent Order of Odd Fellows, in Rowan county; a resolution to authorize the publication of an act in relation to convicts; an act to charter the Newbern and Washington Railroad Company; resolution in reference to the Capitol; an act to incorporate the Oxford and Hillsboro' Railroad Company; resolution in favor of T. F. Lee, sheriff of Wake county, and —— Buchanan, sheriff of Jackson county.

S. R. in favor of Dr. George W. Blacknall, was taken up and passed third reading and ordered enrolled.

On motion of Mr. Ashe, the vote by which bill to be entitled an act to create the office of Assistant Superintendent of Public Instruction was laid on the table, was reconsidered.

S. B. to be entitled an act to transfer late pending suits in equity to the superior courts, was taken up.

Mr. Hargrove moved to postpone indefinitely, and motion prevailed.

S. B. to allow the registration of deeds on certain proof, was taken up and passed second and third readings and ordered enrolled.

H. B. to create the office of Assistant Superintendent of Public Instruction, was taken up.

Mr. Sparrow moved to amend by striking out the name of William F. Leary, and insert the name of Mingo Croom.

Mr. Cawthorn moved to amend amendment by striking out the name of Mingo Croom and insert the name of Thomas Sykes, of Pasquotank. Lost.

When Mr. Broadfoot moved to lay on the table. Motion failed for want of a quorum and amendment of Mr. Sparrow was adopted, and bill passed second reading and failed to pass third reading for want of a quorum.

S. B. to be entitled an act to repeal chapter 77 of laws of 1869–'70, was taken up, and on motion, indefinitely postponed.

S. B. to incorporate the Pioneer Manufacturing Company, was taken up and passed second and third readings and ordered enrolled.

Mr. Sparrow, by consent, introduced a resolution to authorize the employment of assistance by Principal Clerk, which was taken up and passed.

On motion, the House adjourned.

THURSDAY, April 6, 1871.

The House met pursuant to adjournment.

The journal of yesterday was read and approved.

Mr. Currie from Committee on Enrolled Bills reported as correctly enrolled the following bills and resolutions: Resolution to pay Principal Clerks of Senate and House of Representatives for extra services; resolution in relation to the distribution of the Convention act and the act in relation to Salaries and Fees of county officers; an act to incorporate the Land Improvement Company of North Carolina; an act to change the method of appointing the Proxies and Directors in all corporations in which the State has an interest; an act in relation to the Executive Mansion, and the Public Lots belonging to the State; a resolution in favor of J. T. Bullard; an act to provide the manner of bringing suit against Railroad Companies, ratified April 12th, A. D. 1869; an act to authorize S. A. Kelly, sheriff of Davie county, to collect arrears of taxes; an act supplemental to an act to change the boundary line between the counties of Edgecombe and Nash; an act for the better protection of the Literary Fund; an act to amend the charter of the Wilmington and Tarboro' Railroad Company; an act to incorporate Jackson Lodge No. 1 of I. O. of Good Templars in Tarboro', Edgecombe county; an act to incorporate the First Co-operative Store of the city of Wilmington; an act to fix the capital stock of the Fairfield Canal and Turnpike Company; an act to incorporate the Newtonian Society at the Rutherford College, Burke county; an act to provide for a cheap chattle mortgage; a resolution to authorize the payment of the expenses incurred in the impeachment trial of W. W. Holden; an act to repeal an act concerning constables in New Hanover county, ratified 26th March, 1870; an act to prevent the felling of trees in Caraway Creek, Randolph county; an act to incorporate the Independent Order of Good Templars in

Newbern; an act to lay out and construct a road in Ashe county; an act to incorporate the Wilmington and Smithville Steamboat Company; an act to incorporate the Carthage and Randolph Railroad Company; an act entitled the charter of Charlotte; an act to incorporate the Walnut Mountain Turnpike Company; an act to allow the registration of deeds upon certain proof; resolution in favor of the committee on the University; an act to incorporate the Bank of Salisbury; resolution to pay Principal Clerks of the Senate and House of Representatives for extra services; an act to amend the charter of the city of Newbern and the Newbern Academy; an act to incorporate the Pioneer Manufacturing Company; an act to make Deep river a lawful fence, to a certain extent, in Randolph county; a resolution for the relief of G. J. Williams, sheriff of Chatham county; and they were ratified.

A message was received from the Senate transmitting Senate resolution "to audit the accounts of employees of the Senate and House of Representative;" also a message transmitting a resolution to provide for the distribution of the Convention act and the act in relation to county officers, which was taken up and passed second and third readings and ordered enrolled.

The House took recess, on motion, for half an hour.

On resumption of business the Speaker announced Messrs. Ashe, Hargrove and Luckey as a committee to examine the books and accounts of the Public Treasurer.

The Committee on Enrolled Bills reported: Resolution to provide for the distribution of the Convention act, and the act "in relation to salaries and fees of county officers;" resolution "concerning employees of the Senate and House of Representatives," as correctly enrolled and they were ratified.

When the hour for adjournment, according to joint resolution adopted by both Houses of the General Assembly, having arrived, M. Speaker announced that the House stands adjourned *sine die*.

APPENDIX.

APPENDIX.

RULES OF ORDER OF CONDUCTING THE BUSINESS IN THE HOUSE OF REPRESENTATIVES.

TOUCHING THE DUTY OF THE SPEAKER.

1. It shall be the duty of the Speaker to invite the pastors of the several churches of this city, and other preachers of the Gospel, under such arrangements as they may make among themselves, to perform the service of prayer at the opening of the daily sessions of the House.

2. He shall take the Chair every day precisely at the hour to which the House, on the preceding day, adjourned, shall immediately call the members to order, and on the appearance of a quorum, cause the Journal of the preceding day to be read.

3. He shall preserve order and decorum, may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

4. He shall rise to put a question, but may state it sitting.

5. Questions shall be put in this form, namely: "As many as are of the opinion that, (as the question may be,) will say aye," and after the affirmative voice has been expressed, "as many as are of the contrary opinion, will say no." Upon a call for a division, the Speaker shall count; if required, he shall appoint tellers.

6. The Speaker shall examine and correct the Journal before it is read. He shall have a general direction of the Hall.

He shall have a right to name any member to perform the duties of the Chair; but such substitution shall not extend beyond one day, except in case of sickness, or by leave of the House.

7. All Committees shall be appointed by the Speaker, unless otherwise specially ordered by the House.

8. In all elections, the Speaker may vote. In other cases he shall not vote, unless the House be equally divided; in case of such equal division, he shall decide the question.

9. All Acts, Addresses and Joint Resolutions shall be signed by the Speaker; and all writs, warrants and subpœnas, issued by order of the House, shall be under his hand and seal, attested by the Clerk.

10. In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker, (or Chairman of the Committee of the Whole) shall have power to order the same to be cleared.

11. No person, except members of the Senate, Officers and Clerks of the two Houses of the General Assembly, Judges of the Supreme and Superior Courts, Officers of the State resident at the seat of Government, members of Congress, persons particularly invited by the Speaker or some member, and such gentlemen as have been members of either House of the Legislature, or of the Convention of the people of the State, shall be admitted within the Hall of the House.

12. Reporters wishing to take down debates may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere to effect their object as shall not interfere with the convenience of the House.

ORDER OF BUSINESS OF THE DAY.

13. After the reading of the Journal of the preceding day, the House shall proceed to business in the following order, viz :

1. The receiving of petitions, memorials and papers addressed either to the General Assembly, or to the House.

2. The reports of Standing Committees.

3. The reports of Select Committees.

4. Resolutions.

5. Bills.

6. Bills, resolutions, petitions, memorials, messages, and other papers on the calendar, then the orders of the day; but motions and messages to elect officers shall always be in order.

ON DECORUM AND DEBATE.

14. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address the Speaker.

15. When the Speaker shall call a member to order, the member shall sit down; as also he shall when called to order by another member, unless the Speaker decide the point of order in his favor. By leave of the House, a member called to order may clear a matter of fact, or explain, but shall not proceed in debate so long as the decision stands, but by permission of the House. Any member may appeal from the decision of the Chair, and if, upon the appeal, the decision be in favor of the member called to order, he may proceed; if otherwise, he shall not, except by leave of the House; and if the case, in the judgment of the House, requires it, he shall be liable to its censure.

16. When two or more members rise at the some time, the Speaker shall name the member to speak.

17. No member shall speak more than twice on the same question, not more than thirty minutes upon a main question and not more than ten minutes upon an amendment, or motion to commit or postpone, without leave of the House.

18. Whilst the Speaker is putting any question, or addressing the House, no person shall speak, stand up, walk out, or across the House; nor when a member is speaking entertain

private discourse, stand up, or pass between him and the Chair.

19. No member shall vote on any question in the case where he was not present when the question was put by the Speaker, except by consent of the House. Upon a division and count of the House on any question, no member without the bar shall be counted.

20. Every member who shall be in the Hall of the House when the question is given, shall give his vote, unless the House for special reasons shall excuse him.

21. When a motion is made and seconded, it shall be stated by the Speaker; or if written it shall be handed to the Chair, and read aloud by the Speaker or Clerk before debated.

22. Every motion shall be reduced to writing, if the Speaker or any two members desire it.

23. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in possession of the House, but may be withdrawn before a decision or amendment, except in case of a motion to reconsider, which motion, when made by a member, shall be deemed and taken to be in possession of the House, and shall not be withdawn without leave of the House.

24. When a question is under debate no motion shall be received but to adjourn, to lay on the table, to postpone indefinitely, to postpone to a certain day, to commit or amend, which several motions shall have precedence in the order they stand arranged; and no motion to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or amend, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition.

25. A motion to adjourn, or lay on the table, shall be decided without debate; and a motion to adjourn shall always be in order, except when the House is voting, or some member is speaking.

26. When a question is postponed indefinitely, the sams shall not be acted on again during the session.

27. Any member may call for a division of the question when the same shall admit of it, which shall be determined by the Speaker.

28. When a motion has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, on the same or succeeding day, unless it may have already passed the Senate, and no motion to reconsider shall be taken from the table except by a two-thirds vote.

29. When the reading of a paper is called for, which has been read in the House, and the same is objected to by any member, it shall be determined by a vote of the House.

30. Petitions, memorials, and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place; a brief statement of the contents thereof shall verbally be made by the introducer, and shall not be debated or decided on the day of their being first read, unless the House shall direct otherwise, but shall lie on the table, to be taken up in the order they were read.

31. When the yeas and nays are called for on any question, it shall be on motion before the question is put, and it seconded by one-fifth of the members present, the question shall be decided by the yeas and nays; and in taking the yeas and nays, or on a call of the House, the names of the members will be taken alphabetically.

32. Decency of speech shall be observed, and personal reflections carefully avoided.

33. Any fifteen members, including the Speaker, shall be authorized to compel the attendance of absent members.

34. No member or officer of the House shall absent himself from the service of the House, without leave, unless from sickness or inability.

35. Any member may excuse himself from serving on any committee at the time of his appointment, if he is a member of two standing committees.

36. If any member shall be necessarily absent on any tem-

porary business of the House, when the vote is taken on any question, upon entering the House, he shall be permitted, on motion, to vote.

37. No standing rule or order shall be rescinded or altered without one day's notice given of the motion thereof; and to sustain such motion, two-thirds of the House shall be required.

38. The members of this House shall uncover their heads upon entering the Hall, whilst the House is in session, and shall continue so uncovered during their continuance in the Hall, except Quakers.

39. The previous question shall be as follows: "Shall the main question be now put?" and until it is decided shall preclude all amendments or debates. If this question shall be decided in the affirmative, the "main question" shall be on the passage of the bill, resolution or other matter under consideration; but when amendments are pending, the question shall be first taken upon such amendments in their order without further debate or amendment. If such question be decided in the negative, the main question shall be considered as remaining under debate: *Provided*, That no one shall move the previous question, except the Chairman of a committee, whose report is under consideration, the mover of a resolution or bill, or the author of a minority report.

COMMITTEES.

40. Upon a motion of any member, there shall be a call of the House, a majority of the members present assenting thereto; and upon a call of the House, the names of the members shall be called over by the Clerk, and the absentees noted; after which the names of the absentees shall again be called over. The doors shall then be closed, and those from whom no excuse, or insufficient excuses are made, may, by order of those present, if fifteen in number, be taken into custody as they appear, or may be sent for, and taken into custody

wherever to be found, by special messenger appointed for that purpose.

41. 13 Standing Committees shall be appointed at the commencement of the session, viz: a Committee on Propositions and Grievances; a Committtee on Claims; a Committee on Privileges and Elections; a Committee on Judiciary; a Committee on Internal Improvements; a Committee on Finance; a Committee on Agriculture, Mechanics and Mining; a Committee on Education; a Committee on Penal Institutions; a Committee on Engrossed Bills; a Committee on Townships; a Committee on Immigration; to be appointed by the Speaker, and the first announced on each Committee shall be Chairman. In addition to the above Standing Committees, the Speaker shall appoint another—two members from each Judicial District—to be denominated the Committee on Private Bills.

42. In forming a Committee of the whole House, the Speaker shall leave the Chair, and a Chairman to preside in Committee shall be appointed by the Speaker.

43. Upon bills committed to a Committee of the whole House, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be last considered; the body of the bill shall not be defaced or interlined; but all amendments, noting the page and line, shall be duly entered by the Clerk, on a separate paper, as the same shall be agreed to by the Committee, and so reported to the House. After report, the bill shall again be subject to be debated and amended by sections, before a question on its passage be taken.

44. All questions, whether in Committee or in the House shall be propounded in the order in which they were moved.

45. The rules of proceeding in the House shall be observed in a Committee of the whole House, so far as they may be applicable, except the rule limiting the time of speaking and the previous question.

46. In a Committee of the whole House, a motion that the

Committee rise shall always be in order, except when a member is speaking, and shall be decided without debate.

ON BILLS, RESOLUTIONS, &C.

47. Every bill shall be introduced by motion for leave, or by order of the House, on the report of a Committee.

48. Every bill shall receive three several readings in the House previous to its passage, and the Speaker shall give notice at each whether it be its first, second or third. The first reading of a bill shall be for information. If no opposition be made the bill shall go to its second reading without question.

49. Upon the second reading of the bill, the Speaker shall state it as reading for commitment or amendment.

50. The Speaker shall refer all bills and resolutions upon their introduction, to the appropriate Committee, unless otherwise ordered.

51. The Clerk of the House shall keep a *separate* calendar of the *public and private bills*, and shall number them in the order in which they are introduced, *and all bills shall be disposed of in the order they stand upon the calendar, except otherwise specially ordered.* No public bill shall be twice read on the same day, without the concurrence of two-thirds of the members present.

52 All resolutions which may grant money out of the Treasury, or such as shall be of public nature, shall be treated in all respects in a similar manner with public bills.

53. The Clerk of the House shall be deemed to continue in office until another is appointed.

PREVIOUS QUESTION.

When a motion for the previous question is made, and pending the second thereto by a majority, debate shall cease, but if any member obtains the floor, he may move to lay the matter

under consideration on the table, or move an adjournment, and when both or either of these motions is pending, the question shall stand:

1st. Previous question.

2d. To adjourn.

3d. Lay on the table.

And then upon the main question; or amendments, or the motions to postpone indefinitely, postpone to a day certain, to commit or amend, in the order of their precedence, until the main question is reached or disposed of; but after the previous question has been called by a majority, no motion, amendment or debate shall be in order.

All motions below the motion to lay on the table must be made prior to a motion for the previous question; but pending and not after the second therefor by the majority of the House a motion to adjourn or lay on the table, or both are in order. This constitutes the precedence of the motion to adjourn and lay on the table over other motions, in rule twenty-five.

Motions stand as follows, in order of precedence in Rule 25:

Adjourn.

Lay on the table.

Previous question.

Postpone indefinitely.

Postpone definitely.

To commit or amend.

When the previous question is called, all motions below it fall, unless made prior to the call, and all motions above it fall after its second by a majority required. Pending the second, the motions to adjourn and lay on the table are in order, but not after a second. When in order, and every motion is before the House, the question stands as follows:

Previous question.

Adjourn.

Lay on the table.

Postpone indefinitely.

Postpone definitely.

To commit.
Amendment to amendment.
Amendment.
Substitute.
Bill.

The previous question covers all other motions when seconded by a majority of the House, and proceeds by regular gradation to the main question, without debate, amendment or motion until such question is reached or disposed of.

JOINT RULES OF ORDER.

1. Each House shall transmit to the other, all papers on which any bill or resolution shall be forwarded.

2. When a bill or resolution which shall have passed in one House, shall be repealed in the other, notice thereof shall be given to the House in which the same may have passed.

3. Messages from one House to the other, shall be communicated by their clerks respectively, unless the House transmitting the message shall specially direct otherwise.

4. It shall be in the power of either House to amend any amendment made by the other, to any bill or resolution.

5. In every case of difference between the two Houses, upon any subject of legislation, either House may request a conference for that purpose, and the other shall also appoint a committee to confer. The committee shall meet at such time and place as shall be appointed by the chairman of the committee, on the part of the House requesting such committee. The conferees shall state to each other verbally or in writing, as either shall choose, the reasons of their respective Houses, and confer freely thereon. The committee shall report in writing, and shall be authorized to report such modifications or amendments as they may think advisable. But no committee on conference shall consider or report on any matters, except those directly at issue between the two Houses. The papers shall be left with the conferees of the House assenting to such conference, and

they shall present the report of the committee to their House, when such House shall have acted thereon, they shall transmit the same and the papers relating thereto, to the other with a message certifying its action thereon.

6. It shall be in order for either House to recede from any subject matter of difference existing between the two Houses, at any time previous to conference, whether the papers on which such difference arose, are before the House receding formally or informally, and on such vote to recede, the same number shall be required to constitute a quorum to act thereon and to assent to such reading, as was required on the original question out of which the difference arose.

7. All joint committees of the two Houses, and all committees of conference shall consist of three Senators and five members of the House of Representatives, unless otherwise specially ordered by concurrent resolution.

8. There shall be printed on joint order, unless otherwise specified, two hundred and twenty copies of all messages from the governor, all reports of standing or select committees, and all reports or communications made in pursuance of law.

9. When the same document shall by separate orders, be directed to be printed by both Houses, it shall be regarded as but one joint order, unless otherwise expressly directed by either House.

10. The Clerk of each House shall receive from the Public Printer all matter ordered by their respective Houses, and shall keep a book and enter therein the time of reception by him, of every such bill or document, and the number of copies received, and shall cause each and any of such bills or documents to be immediately placed upon the desks of the members.

11. The two hundred and twenty copies of messages from the governor, reports of committees, and reports or communications made in pursuance of law, ordered to be printed by section eight, shall be distributed as follows: to the Senate, seventy copies; to the House of Representatives, one hundred and fifty copies.

12. There shall be joint standing committees consisting of three members of the Senate, and five members of the House of Representatives, on the following subjects:

1. On Public Buildings and Grounds.
2. On Library.
3. On Deaf, Dumb and Blind Asylum.
4. On Insane Asylum.
5. On Enrolled Bills.
6. On Penal Institutions.
7. On Printing.

MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF NORTH CAROLINA—SESSION 1870–'71.

Anderson, J. S., D.	Clay,
Armstrong, N. E., D.	Duplin.
Ashe, S. A., D.	New Hanover.
Atwater, M., D.	Orange.
Atkinson, B. S., D.	Pitt.
Brooks, J. A., R.	Brunswick.
Broadfoot, C. W., D.	Cumberland.
Brown, J. T., Ind.	Davidson.
Bryant, John, R. (col.)	Halifax.
Bryan, B. L., D.	Jones.
Bryson, T. D., D.	Jackson.
Bunn, W., R. (col.)	Edgecombe.
Buxton, S. N., R.	Northampton.
Cawthorn, Wm., R. (col.)	Warren.
Carson, J. M., Ind.	Alexander.
Chamberlain, J. L., D.	Camden.
Clinard, J., D.	Davidson.
Collis, S. M., R.	Mitchell.
Copeland, E. G., R.	Wayne.
Crawford, W. H., D.	Rowan.
Currie, J. H., D.	Cumberland.
Darden, T. E., Ind.	Perquimans.
Dickey, B. K., D.	Cherokee.
Drake, J. A., D.	Nash.
Dudley, E. R., R. (col.)	Craven.
Duckworth, J. C., R.	Transylvania.
Dunham, J. W., D.	Wilson.
Ellison, S., R. (col.)	Wake.
Faulkner, R., R. (col.)	Warren.
Fisher, A. W., R.	Bladen.
Fletcher, R., R. (col.)	Richmond.

French, G. Z., R.	New Hanover.
Furr, John, D.	Stanly.
Gambrel, R., D.	Alleghany.
Garrison, J., R.	Polk.
Gatling, R., D.	Gates.
Goodwyn, J. J., R.	Halifax.
Gore, C. C., D.	Columbus.
Gullick, J. G., D.	Gaston.
Grayson, J. C., D.	McDowell.
Gregory, G. H., D.	Martin.
Guyther, D. C., R.	Washington.
Hampton, H. C., D.	Surry.
Harris, Jona, D.	Guilford.
Harris, J. T., R.	Franklin.
Hargrove, T. L., R.	Granville.
Hardy, B. S., R.	Greene.
Henderson, J. L., D.	Cabarrus.
Houston, R. B. B., D.	Catawba.
Hill, J. H., D.	Iredell.
Hinnant, J., D.	Johnson.
Johnston, T. D., D.	Buncombe.
Johnson, R. M., R. (col.)	Edgecombe.
Johns, A. B., D.	Rockingham.
Jones, E., D.	Caldwell.
Jones, B., R.	Northampton.
Joyner, W. H., D.	Johnson.
Joyner, C., D.	Pitt.
Jordan, H. T., D.	Person.
Justice, J. M., R.	Rutherford.
Kelly, J. A., D.	Davie.
Kelly, Alex., D.	Moore.
Kelsey, Nat., D.	Madison.
Kincade, D., D.	Lincoln.
Lassiter, Jona, D.	Randolph.
Loftin, W. F., R.	en oir.
Lucas, W. H., D.	Hyde.

Luckey, F. W., D.	Rowan.
Lyon, E. B., D.	Granville.
Martin, L. W., D.	Carteret.
Mabson, G. L., R.	New Hanover.
Marler, J. G., D.	Yadkin.
Maxwell, J. R., D.	Sampson.
McAfee, L. M., D.	Cleaveland.
McAllister, A. C., D.	Alamance.
McCauley, C. M. T., D.	Union.
McNeill, T. A., D.	Robeson.
Morris, B., R.	Henderson.
Morgan, J. G., R.	Montgomery.
Morgan, W., R. (col.)	Wake.
Mitchell, J. G. H., D.	Stokes.
Mills, J. C., D.	Burke.
Newsom, W. D., R. (col.)	Hertford.
Nicholson, T. A., D.	Iredell.
Nisson, J. P., R.	Forsyth.
Page, J. R., R. (col.)	Chowan.
Phillips, S. F., R.	Wake.
Paylor, W., D.	Caswell.
Powell, R. J., D.	Chatham.
Rankin, S. C., D.	Guilford.
Reavis, W. H., R. (col.)	Granville.
Reid, J. C., D.	Mecklenburg.
Robbins, P. D., R. (col.)	Bertie.
Robinson, J. L., D.	Macon,
Scott, J. G., D.	Onslow.
Settle, D., D.	Rockingham.
Shull, W. F., D.	Watauga.
Smith, W. E., D.	Anson.
Smith, C., R. (col.)	Halifax.
Smith, D. E., D.	Wayne.
Sparrow, T., D.	Beaufort.
Stanford, J. D., D.	Duplin.
Stewart, N. S., D.	Harnett.

Strudwick, T. N., D.	Orange.
Sykes, T. A., R. (col.)	Pasquotank.
Tucker, R., R. (col.)	Craven.
Tomlinson, S. F., D.	Randolph.
Waring, R. P., D.	Mecklenburg
Welch, W. P., D.	Haywood.
Withers, E. B., D.	Caswell.
Willis, G., R. (col.)	Craven.
Wilcox, J. O., D.	Ashe.
Womack, J. A., D.	Chatham.
Woodhouse, J. M., D.	Currituck.
Williamson, J., R. (col.)	Franklin.
Young, T. W., R.	Wake.
Young, C. F., D.	Yancey.
York, Tyre, D.	Wilkes.

OFFICERS OF THE HOUSE OF REPRESENTATIVES.

Hon. THOMAS J. JARVIS, of Tyrrel, Speaker.
W. W. GAITHER, of Caldwell, Principal Clerk.
KERR CRAIG, of Rowan, Assistant Clerk.
W. M. HARDY, of Buncombe, Engrossing Clerk.
S. D. QUINN, of Beaufort, Doorkeeper.
J. H. HILL, Randolph, Assistant Doorkeeper.

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